IN THIS BOOKE IS CONTEINED the office of Shiriffes Baylyffes of lyberteys, Escheatours, Constables and Coroners, and sheweth what euery one of them may do by vertue of their offices by-yaren out of bokes of the comen lawe and of the statutes.

What the office of a Shirife is, hereafter shall more plainelye appere, but in a generalitye hys office is ryghtuously and duely to retourne all writtes and precepties to hym directed, and truelye too execute the same accordynge as he shalbe commaunded in the same writtes and precepties. Also that he take nothynge of any persone for doynge hys office, but the due and accustomed fees too hym belongynge. And that he duely holde and keepe hys counties, courtes and tourners, accordynge to the due course of the lawe. Uppon these thre pointes dependeth the hole charge and effecte of his office.

The office of the Shirife is to retourne good sufficiente and reasonable men, and uppon suche persons as haue sufficiente goodes or landes accordynge too the statute of Winchill.

Capitulo xxix. and Edwardi iii. Capitulo quinto.

¶ The shyryffe ought not to take the indyteme[n]tes founde before hym in his tourne by indentures, and soo shall Baylyffes of fraunchyses: one parte whereof shall remayne with the indytours, secundo Edwardi tercii. Capitulo xviii.

¶ The shyriffe may ar[r]est men ridynge or goinge armed and compell them to prison, there to remayne at the kinges pleasure. ii. Edwardi iii. Capitulo v. at Northampton.

¶ Shyriffes and vndershiriffes shal receive writtes in euery place within the countye without takynge ought, and shall make a bill whether they refuse, or they that be presente shall put to theyr seales. And yf they returne not the same writtes, they shall be punished, and shal rendre damages to the partye. ii. Edi. Capi. v. at Northamp-

Shi-

¶ Shyrryffes and Gayolours shall receyue theurs, indyted or taken wyth the maner, without taking any thing for the receyte. xiiii. Edwardi iii. Cap. p

¶ Shyrryffes shall lease their Hundredes and Wapentakes after the olde ferme & not aboue An. xiii. Edi iii. Cap. xvb. and An. Edwardi iii. xx. viii

Shyrryffes oughte to arreste persons suspecte of felony goinge by night or by day, whyche be of euyll fame: An. xx Edwardi iii. Cap. xiiii.

¶ The shyrryffes in one countye shall haue no mo Baliffes errant but one xiii. Edwardi. iii. Cap. ix.

¶ Shyrryffes oughte to kepe theyr tournes euery yere wythin a moneth after Easter and within a moneth after Mychelmas. xiii. Edwardi tertii Capit. xiiii

¶ Shyrryffes that leue issues fynes, and amerciamentes in the countye oughte to haue the executes vnsealed

with the seale of the Escheker, so that as muche as is payed may be lotted. And if any shiriffe or minyster do the contrary, he shall render to the partye treble damages, and shall make fyne to the kinge, and the lore hereof may be aswel afore Justicers of the peace as before other Justicers. xliii. E. iii. Capitulo nono.

¶ The Shiriffes shall arrayne the panelles of Assyse foure dayes before the sessyons at the least, vppon peyne of .xx. li. And Baylyffes of tybertyes shal make retourne to the Shiryffes vi. dayes before the Sessions vppon the same peyne. xlii. Edwardi tertii. Capitulo. xi.

¶ The shiryffe ought to examine loiterers and vagarantes, and compell theym to finde suretye of theyr good behauyour, by sufficient maynpzis of such as be dyscreynable, if any defaut be founde in suche vagarantes. And

if they can not finde such suerty, then to cõmaunde theim to the nexte Gayle there to remayne vntil the commynge of the Justicers of Gayle delyuerye, they to do with suche vagarauntes as they shall thinke best. vii. Richardi secundi. Capitula. vii.

¶ The shirysse shall be bounde foure times in the yeare to make proclamacion of the estatute of Winchester in euery hundred of his Baylewike.

¶ The shirisse ought to take swerdes, daggers, and hangers from seruauntes, labourers, and seruauntes of crafftes menne and vytaillers, that weare them, onles it be in time of warre or when they labboure in the countrey, with their maisters or vpon their busines. And the shirisse shall kepe the same weapons, which they shall present vnto the Justicers of the peace at their Sessions wyth the names of them that bere them. xii R. ii. capit. vi.

A. iiii. Shirysse

¶ Shyrifes ought to receiue idouti-
rers, seruauntes, beggers, and baga-
boundes, and them detayne in prison
wythoute Bayle or Mayneprise, and
without fee or takynge any thinge at
theyr entre or going out of prison vp-
pon paine to forfait. C.ii. to the kinge
Anno. xi. Richardi. ii. Capit. ix.

¶ Shiryffes and other ministers of
the kinge, so soone as they shall haue
knowledge of assemblies and ryottes,
with outragious nombre of people,
ought with the power of the shire to
go and make resistence agaynst suche
malyce, with al their strength, & shall
attache such misdoers and kepe them
in prison vntyll the due punyshmente
of the lawe be executed vppon theym.
And all maner of Lordes, and other
the kynges true lyege men, ought to
be assysted wyth all theyr power and
strengthe to ayde the Shyryffes and
other minysters therin. xvii. Richardi

secundi

secundi.cap.viii.

¶ Shiriffes ought to be personallye dwellinge in their Bayle wekes, for the time and they shall not let theym to ferme. An.iiii.Hen.iiii.cap.v.

¶ Shiriffes ought to se and prouyde that neyther their vndershiriffes, bayliffes, Clerkes, nor Receyuours, shal be attourneys in the kynges courtes for the tyme of theyr office. Primo Henrici.b cap.quarto

¶ Shiriffes ought to let to mainprise persons indited of heresye and lollardes which are in their kepinge wythin tenne dayes, vnder good suertie, so that they appere before the end of the sayd.x.dayes an.ii.Hen.v.cap.viii.

¶ Shiriffes shall cause the statute of pursuetours to be proclaimed foure times in the yere, vppon payne .C.li. for euery time that he fayleth so to do And vppon like payne shall deliuer the same to his successoure to bee pro-

claimed

claymed, primo Henrici septi. Capitulo secundo.

¶ Shiriffes muſt make due election of knightes of the parliament. in. Henri vi. capitulo quarto.

¶ Shiriffes muſt retourne ſuch perſons knightes of the parliamēt whyche be choſen by the greter nombre of the freholders dwelling in the cōtye which may erpend .xl.s. yerely aboue all charges. And that thoſe knyghtes be dwelling within the ſame countye. And that he examine euery freholder at ſuche elections vpon a booke howe much he may erpende. And if any ſhiriffe retourne other knightes, he ſhal forfayte a. C. li. to the kynge, and ſhall haue one yeres impriſonment, wythout bayle or maynpris.

Shiriffes vpon a precept made vnto thē by Juſticers of ꝑ peace to inquire of forcible entre ſhal retourne vpō euery of the iurours xx.s. in fynes at the

fyrſt

firſt daye. And Juſtices of the peace ſhal haue & determine ſuche defaultes of ſheriffes by byll at the ſute of the party or by indytement, & they ſhall leſe xx.li. for euery defaute, & he y wil ſue ſhal haue y one halfe. [illegible]

¶ To auoyde robberies & ſpoyles vpon the riuer of Seuerne, & by the coſtes of foreſtes, of Dean, and the Hundredes of Blodeſton, and Weſtburye in the countye of Glocester the Shyriffes of Glocester, or the Bayliffes of the towne of Glocester after notification made to any of theym of ſuche iniuries and damages, by the parties greued, within foure dayes after ſuche notifycation made, ſhall make proclamatyon to the towne of Glocester, that ſuche offendours within xv. dayes after ſuche proclamacyon ſhal reſtore vnto the parties endowaged their goodes ſo taken, or the value, with a reaſonable amendes.

The

The said Shyrriffes, Bayliffes to forfait xx.li. if they fayle so to do.ij. hen. vi. Capi.xxviii.

¶ The shiriffe of Yerfordē, neyther in his tourne, nor in anye other place after the tourne ended, shall take any inquirie or enquest of office, whyche ought not to be taken there. Neyther shall he take any fine or amerciament for thinges not appertayninge to his office or tourne vpon paine to forfait xl.li. Anno.ix. Hen.vi. Capi.vii.

¶ Shiriffes ought to retourne in attainter in ple of lād, men of the yerely value of.xl.s. or in an action for dedes concerninge landes of suche value, and in actions of the summe of xl.li. and more, those persons dwellinge within theyr Bailewike which maye expend.xx.li. yerely aboue al charges for terme of life at the leest, out of auncient demesne. Gaurlkinde & the. v. por tes. And at the first distresse xl.s. at ye

seconds

ferre vnde C.li. and the double dampnes of
euery other distresse ageynste the Iu-
rours, vpon paine of x.li. to the kynge
and asmuche to the partie. And if they
be not sufficiente persons dwellynge
within the countie wherthe may expen
de x.li. yerely: then shall they impanell
viij. persons of the moste sufficyente
possession of yeare ye value of landes,
and tenementes within the value of
xx.li. vpon peyne to forfayte x.li. to the
kinge: the partye asmuche in the forme
aforesaide. 23. H. vi. Capi. ix.

2. The Shirryffe or vnder shirryffe of
euery shyre must arrest suche persons of
Wales or the marches therof, whiche
bee outelawed of treason, or felonye,
& bryng the same Shirryffe and eche
of them be in anye place within the
sayde countye, and to bryng the in to
the Kinges. And if anye suche persons
beynge indyted do abyde or flye a-
way, the sayde Shirryffe shall leuey

hue & ary and pursue him vpon peyne
to take fine and ransome to the kyng

¶ The Shyriffe shall not occupy his
office aboue one yere. & if he so do, that
to forfaite .xx. li. and euery pardon for
suche offences shall be voyde. And wor-
des put in suche letters patentes not-
withstanding. Also he that presumeth
to occupye the same office aboue one
yere by force of suche letters patentes
shalbe Disable to bee Shyriffe in anye o-
ther shire after.

¶ No Shyriffe shall bee to fermer by
fermes, nor kepe ne haue by
hymselfe, or by deputy any
¶ No Shyriffe, Baylelliffes of franu-
chyse, ne other officer shall returne in
anye panel, any of his Baylliffes, offy-
cers, or their seruauntes
¶ No Shyriffe nor anye other
bailiff shall take obligacion of anye person to
bee arrested, or attached, nor [illegible] suc-

cessy

selle of anye arrest or attachement to
bee made by the bodye. Nor shall take
ought of anie person arrested, or at-
ached, for fyne, fee, suite of prison, mayn-
prys, letynge to bayle, or for shewynge
any favour or ease to anye persone be
ynge so arrested, excepte it bee as here
followeth, that is to wyt, to the shirysse
xx.d. to the Bayliysse that made the ar-
rest. iiii.d. and to the gailoure if the pri
soner be commytted towarde iiii.d.
4. The shirysse hym selfe nor anye to
hys use shall not take anye thynge for
the makynge of anye returnes or pa-
nells, nor for the coppye of the panell.
nor howe bee it they vse to take xii.s.
for the returne of a Panel: yet that le
sheth to be extorcion.

Whitnes out hee to let out of pry-
sonne all prisonners beynge in theyr
warde, by force of anye writte Wyll or
mandamente to anye actyon personall,
or indytemente of trespace, vppon a

reasons

reasonable sureté beynge sufficient in
the countie to kepe their dayes in the
places as the sayde billes writtes
or warrantes require, except such as
bee condempned, outlawed or excom-
municate, or for suretie of the peace or
by the commaundement of any Justi-
ces, and vagabounded whyche refuse
to [illegible]

¶ Also Shiriffes ought not to take
any obligacions for any thinge about
execucion, or by colour of their office
but onely to themselfes, nor of anye
persone beinge in their warde, but by
the name of their office, as by ye name
of Shiriffes in the obligacion, upon
condicion that the parties that appere
at the daies conteyned in the writtes,
in suche places as the billes, writtes
or warrantes require. And if any ob-
ligacion be taken of any person by co-
lour of their office in any other forme
it shalbe voyde.

Shi-

¶ Shyrryffes shall not take for any obligacion warrant or precept by the to be made any more than.iiii.d.

¶ Shyrryffes muſt make their deputyes perelye in the kynges courtes. that is to wyt, in the chaunceryе, the benche and the Eſchequer of recorde, before they retourne any wrytte.

* Shyrryffes that do contrary to this ordinaunce in any poynt ſhall leſe to the partye greued treble damages, & ſhal forfayte.vi li. for euery time that they ſhall ſo offende, the one halfe to the kinge, the other to hym that wyll ſue. xviii. Henrici. viii. Capitulo. x.

¶ Shyrryffes when writtes be directed vnto them to leuy the expences of knightes of the parliamente, muſte make proclamation at the next countye, after the delyueraunce of the ſame wrytte, that the Corroners, Conſtables and Bayliffes of hundredes ſhall be there to aſſyſe theyr

 wages

wages, vppon peyne of xl. s. what tyme they shall assesse euerye hundred at a certaine summe by it selfe, and after they shall assesse euerye Vyllage, within the same hundred at a certayn summe by it selfe. And if they be otherwyse assessed, for euerye defaute they shall forfait. xx. li. The one halfe wherof shalbe to the partye that wyll sue. And the shyrrye shall leuye the same duely, and shall pay it to the knightes of the parliament vpon peyne of. xx. li. And the partye that wyll sue shall haue his accion by Scire facias, and shall haue. x. li. abone the. xx. li. wyth treble damages. xviii. Henrici sexti. Capitulo vice simo secundo.

¶ The shyrrye after the delyuerye of anye wrytte to make electyon for the knyghtes of the parlyamente, muste make a sufficyent precepte vnder hys seale to euerye Mayre and Bailyffe of Cytyes and Borroughes, wythin the

the countye, theym commaundyng to
electe Citezins, & Burgesses to come
vnto the parliamente. And the sayde
Mayze and Baylyffe shall truely re-
tourne the same pzecept to the shirif
by endenture betwene them foze-
lecteyon and names of theym that are
so chosen. And the shyrysse is bounde
to make a good and true retourne of
euery suche wzyt, & of euery retourne
made to hym by the Mayze and Bay
liffes. And foz euerye tyme that the
shyrysse shall do contrarye to thys oz
any other estatute made foz the elect-
on of shyrysses to come vnto the parli-
ament he shal encur the peyne of one
C.li. to the kynge, and a yeere imprys-
sonment without bayle. And mozeo-
uer shall paye vnto the persone so be-
ynge chosen, knyghte, Citezins, oz
Burges and not duelye retourne, oz
so anye other persone, whiche in de-
faute of suche knyghte, Burgesse

or citezin wyll sue therefore, one hundred pounde to be recouered by accion of the tte.

¶ And the shrysse oughte to make suche elections in the full countye betwene the houres of. viii. and. xi. before noone, and to make a good and true returne of suche elections vpon peyne to forfaite an. C. li. to the kynge and asmuche to the partye that wyll sue therefore agaynste the shrysses, theyr executors, or administers. xviii. Henrici. viii. Capitulo. xv.

¶ Shrysses in their turnes oughte to inquire, heare or determine, if any minister of the wardon of the courte in the marches of Scotlande, or if anye other arreste any parsone by hys bodye, or attache hym by hys goodes out of the countyes of Northumberland, & Cumberlãde & westmerland & the towne of Newcastell to ãswere to any of the sayde courtes: or elys by co-

loure

loure or cause of any processe in the lorde courte: for in suche arrestes it shalbe lawfull for every man to make resistence. And the partie greued shall haue an action of false imprisonment or trespas, and shall recouer treble damages therfore. And the defendaunt shall haue two yeres imprysonment, and the shyrefe shall haue power to procede thereupon, as well as vpon a presentment made in his tourne. xx i. Henrici. vi. Capitulo secundo.

¶ Where as some men by dyssimulacion and other meanes fayne themselues to be louers to women vnmaried, as Maydens or wydowes hauynge great possessyon and substance of goodes, & get such wome vnto their possession, & conuey them into such places from whence they wyll not suffre them to go at their lybertye, except they wyll make to them obligacyons of grace summes to be payed vnto

them or cause theim to be bounden in
estatute Marchaunte, or some tyme
wyll compell theym to be maryed at
theyr pleasure, whiche if they doe refu
se to leue vpon theim the summes con-
teyned in the same obligations, and
statutes, it is ordeyned that the party
greued shall haue a wrytte out of the
Chauncery, compryling the hole mat
ter of their vnreasonable intreatinge
directed to the shiriffe, commaundinge
him to make proclamacio at the next
countie after the receyte of the wrytte
that the offendour shall appeare at a
certeyne daye and place prefixed in
the wrytte before the Chauncellour
or the Justicers of assise of the shyre,
where suche offences shall hap to be
done or before some other persone as-
signed by the Chauncellour. And
the shiriffe, to whome suche a wrytte
shall be directed, and shall execute the
same according to the tenoure therof
vpon

vppon peine of. CCC. li. the one halfe to the kinge, the other to him that wyll sue therefore by wrytte of dette, wherin no wager of lawe, protection nor forayn plee (to cause the matter to be tried in another cõtie then where the wrytte is brought) shall be allowed. xxxi. Henrici. iiii. capitulo. iiii.

¶ Vpon euery inditement or presentment taken before shirikes or theyr mynysters in theyr tournes, or lawe daies, as they shal deliuer the same in ditementes and presentmentes to the Justyces of the peace at theyr nexte Sessions, vpon peyne of. xl. li. And the Justices of the peace shal award procesle vpon the same, as well, as yf they had ben taken before them selfes and shall arraine those that be so indyted of felonye, and shall sette fines vpon suche as be indyted of trespas, the extreates of whiche fines shall be inrolled by indenture, and delyuered

vnto the same shyrefes or ministers.

¶ And if any shyrefes or their ministers attesse or arrache any person by colour of any suche inditemente or presentment in theyr tournes or lawe dayes, or els take any fyne or amercyament therfore, they haue presse from the Justicers of the peace, or afore ỹ extreaters out of the Inditementes shalbe delyuered, they shall forfayte C.li. the moytie where of shalbe to the partye suynge therefore by wrytte of dette in whiche no wager of lawe nor protection shalbe alowed. i. Edwardi quarti. Capitulo vltimo.

¶ Uppon an informacyon made to Justycers of peace, or to other Justicers agaynst any person for reteining or gyuynge of lyuereys, or agaynst any that is reteyned or taketh lyuerie the Justycers shall make processe thereupon, as vppon a recouerye of dette or trespas. And if the shyrffe in

any

any ſute graunted thereupon againſt any perſon beynge ſufficient retourne any leſſe iſſues, then xx.s. at the firſt day of the diſtreſſe and at the ſeconde daye xxx.s. and at the thyrde daye xl.s. And ſo at euery daye after xx.s. by x.s. in iſſues for euery ſuche retourne he ſhall forfayte xl.s. viii. Edwardi iiii. Capitulo. ii.

¶ The olde Sheryffe ſhall haue no power to retourne writtes, and to execute his office durynge the terme of Saynte Mighelande Hyllarye after the daye of hys ſayde office expyred, onleſſe he be lawfully diſcharged therof before. xix. Edwardi iiii. Capi. xi.

¶ No Sheryffe, nor other officer ſhall ſeaſe or take the goodes of any perſone beynge areſted or impriſoned for felonye vntyll the ſame perſone be duelye conuicte or attaynted of the ſame felonye by courſe of the comon lawe, or except the ſame goodes be otherwyſe

lawfully forfayte, vpon peyne to forfayte the double value of the goodes to ſuche to the partye greued ſuynge therefore by action of dette, wherein no wager of lawe, eſſoyne, nor protection ſhall be allowed. 1. Ri. iii. Cay. iii.

Item No bayliffe nor other officer in any panell within any countie of this realme ſhal retourne anye perſone to be put in or vppon any inquirie in the courtes of chirikes, but ſuche as be of good name and fame hauinge freholde to the yearely value of. xx. s. or copyholde to the yerely value of. xxvi s. viii. d. at the leaſt, aboue al charges vpon peyne to leſe for euery perſonne not beinge ſufficient, at euerye tyme that they ſhall ſo do offence. xx. s. and the chirykke other. xl. s. whereof the one moytye ſhall be to the partye ſuinge therefore by actyon of dette in whyche ſuyte no protection, nor eſſoyne ſhall be allowed. But wager of

lawe

lawe is not expressed. And for that cause it behoueth to make reformacion in the of in the Eleuenth yere of Kyng Rychard. iii. Cap. iiii.

¶ Sheriffes or other hauynge the custodye of Gayles shall receyue the names of euerye prisoner beynge in theyr custody and to them committed for felonye, vnto the Justices at the nexte generall Gayle delyuerye to be kalendred, vppon peyne to forfayte for euerye tyme that they shall make defaute in so doynge. C s. iii. Henrici. vii. Capitulo. iii.

¶ Also the shirrife nor no other ꝓson in hys name, or by his cõmandement shal enter no pleynt into their bokes in no mans name, onles the pleyntife be there in his ꝓpre persone or els by sufficient atturney or deputye, that is knowen of good name, and the pleintife shal finde pledges, persones that be knowen in that countye to pursue

his

his pleintye, and the pleyntyfe shall haue but one pleinte for one treipas, or one contracte. And if the shyrefe or any other his officers cause to be entred any mo pleintes then the pleintyfe purposeth hym that he hathe cause of accion against the defendaunt, than the shyrefe or his clerke that doth the same to be entred any suche pleintes, contrary to this acte shall forfayt for euery defaute, xl.s. the one halfe to hym that wyll sue and proue the same mater by accyon of det or informacio

Also the shyrefe shall make sufficyent preceptes after suche pleyntes entred against the defendaunte directed to the baylyffe of the hundreth to attache or warne the defendaunte to appeare and answere to the sayde pleyntes, and if there be any defaute in the sayde baylyffe of the hundreth in warnynge or executynge of theyr offices they to forfaite, xl.s. and to be

ne conuycte thereof by tranſmyſſyon of the Juſtyceꝛs of the peace oꝛ any of them.

¶ The ſame ſhyꝛyffes noꝛ theyꝛ deputyes ſhall make none eſtreates to leuy the ſhyꝛe amerciamentes tyl that it. Juſtyceꝛs of the peace whereof one to be of the Quoꝛum haue the ſyght of theyꝛ bokes and the eſtraetes to be endured betwixte the Juſtyceꝛs of peace and the ſhyꝛyffe and vnderſhyꝛyffe ſealed with theyꝛ ſeales, the one parte to remaine with the ſayd Juſtyceꝛs, and the other parte with the ſhyꝛyffe.

¶ And thoſe perſons that ſhalbe gatherers of the ſayde amerciamentes ſhalbe ſwoꝛne by the ſayde Juſtyceꝛs that they take no moꝛe mony then is foꝛfait & conteined in the eſtreates ſealed with the ſeales of the Juſtyceꝛs to the ſame vppon the ſame peine of foꝛfaytoure, as is aboue rehearſed, the

ſame

same gatherers to be conuyct by examinacyon of the same Justyces, or one of them. And the same Justyces of peace shalbe appointed at the Sessions holden at Wygbelmas by hym that is custos rotulorum, or in his absence by the eldeste of the Quorum to haue the controlment of the saide shyryffes, vndershyryffes shyre clarkes and other of the sayde offycers, and of the sayde shyryffes amercyamentes. And the sayd Justicers of peace vpon suggestion shall make proces agaynst the shyryffe vndershyriffe shyre clarkes or other offycers to appere before them to answere to suche suggestyon or informacyon as is vsed in accyon of trespas. Anno secundo. Henricy. vi. Capitulo. xii.

Also euerye shyryffe shall cause to be taken all vacabondes vyle people and suspect persons and sette them in the stockes, ther to remaine at the first

tabinge by one daye and one nyghte and at the seconde tyme to be in the stockes, by thre dayes and thre nyghtes with bread and water. And if any shyrysse execute not these premisses of euery vagabunde heremite or begger able to labour, or clearkes, pyigrims, or shypmen, as ofte anye suche commeth in syght, or that he hath therof anye knowledge within the towne or place where he hath auctorytye that as ofte as any suche misdoer abydeth there aboue the space of one daye and one night and departe vnexamyned & vnpunished, for euery mysdoer so departid the Shyrysse to lose thre .s. iiii.d. and the Shyrisse in his tourne hathe auctorytye to inquyre of all the defautes of Mayres, Baylifes, bighe Constables, petye Constables, and all other gouernoures, and of other gouernours, and officers of Cityes, Townes, and Villages

within

wythin theyre tourne and to haue xl.
s.iiii.d. for euerye defaute founde in
hys rouncie. An. xviii. Henrici. viii. Ca
pitulo. xii.

Also euery shyryffe vpon a precept
dyrected vnto hym by the Justycers
of peace to retourne a panel to inqui
re of anye ryotte or vnlawefull assem
blis tempered. shal retourne. xxiiii. per
sons dwellynge in the shyre, euery of
them hauynge. xx. s. of freholde or
xxvi.s.viii.d. of copholde or of bothe
ouer all charges, and to retourne in
issues euery parson. xx.s at the fyrste
daye, and at the seconde day. xl.s, and
if the defaute be in ỳ shyrriffe for the re
tournynge of persons not beynge of
that sufficiency or for nonereturning
of issues in fourme before sayde he to
forfayte. xx.li. An. xvi. H. viii. Cap. xii.

Also if anye ryotte or assemble of
people be made in anye parte of thys
realme agaynst the lawe, the Justy
cers

ceers of peace, or two of them at the leaste, and the Shyryffe or vndersshyryffe may come with the power of the countye (yf neede be) to arreste and bringe them before the same Justyceers of the peace. And the Shyryffe or vndersshyryffe haue power to record that, that they shall fynde in theyr presence done contrarye to the lawe, and the offendoure shalbe conuycte by suche record. And yf they be departed before the commyng of the sayde Justyceers, Shyryffe or vndersshyryffe, then shall the same Justyceers or two of them within one moneth after such ryot enquire diligently wher the assemble was made. And yf the truthe can not be founde, then the same Justyceers, or two of theym, and the Shyryffe or vndersshyryffe aboue sayde, within a moneth nexte folowynge, shall certyfye before the kynge and his councell the hole dede

wythal the circū stāces therof, which certificat shalbe as strong to put the parties to aunswere therupō, as an inditemēt found by twelue men an. xiii. Henrici quarti. Capitulo vltimo

¶ And if the sayd ryot or vnlawful assemble be not founde (by reason of any embracerie or maintenaunce of the said Jurie) then the sayde Justicers of peace and the Shiriffe, ouer and aboue suche certificat that they must make accordyng to the said statute made. Anno. xiii. Henrici quarti shal in the same certificat certify the names of the said maintenours and embraciours, in that behalfe (if anye be) wyth their misdemeanours that they knowe, vpon peyne of euerye of the sayde Justicers, and shiryffes or vnder shiriffes .xx.li. if they haue no reasonable excuse for none certyfyynge of the same, whych certyficat so made, shall be an inditemente in the

lawe

lawe And euerye person duelye prouedto be maintenour or enbrasiour shal forfaite xx.li. and to be commptted to warde, there to remayne by discrecion of the Justicers An. xiii. henrici septimi Capi. xiii.

¶ Also that no shiriffe vpon writtes and precepties directed by him do returne before Escheatours or Commissioners, any persone to inquire of any landes, or tenemētes, except euerty of the same Jury haue lōdes and tenementes of the yerely value of. xl. s. aboue al charges in the same shire vpon peine of forfature for euery person so returned a hundred shillynges. Anno. ii. Henrici viii.

¶ Also all panels put in by the shiriffe before any Justicer of gayle delyuerie, or before Justyces of peace (wherof one to be of the Quorum) in theyr open sessiōs, to inquire for the kynge, shall be reformed by

puttinge to, and takinge oute of the
name so impaneled by discrecion of
the same Justicers. And that same
Justicers or Justicer shal cõmaund
euerye Shirrife and their ministers
in their absences to put other persons
in the same panel by their discrecion
and the same panell so retourned by
the Justicers to be good. And if anye
shyrrife do not retourne the same pa
nell so retourned, then euerie shirrife
so offendinge for euerye such offence
shall forfayte. xl. li. halfe to hym that
will sue by action of det. byll or com-
playut where suche shal fal or be, and
no wager of lawe, essoyne, nor protec-
tion shall be allowed.

Also upon euery erigente (where
writtes of proclamacion are to be a-
warded) the same writte of proclama
cion to haue the same day of retourne
that the erigente hathe, and to be de
liuered of recorde and the Shy-

rrife

ryffe to make proclamacion thre seue
ral dayes in his pleine courty, whereof
one of the proclamacions to be made
at the generall Sessions in those par
ties where the parte is supposed to
be dwellynge, that he yelde hym selfe
to the Shyriffe of the forein shire that
the Shiresse maye haue the body at
the daye of the paynes, and that the
answere to the erigē tre tournable to
shyrysse of the sayde countie that hath
suche writtes of proclamacyon duely
execute the same & therfore make due
retourne at the day appointed in the
same wrytte, vppon peyne to forfaite
suche amerciament, as by the Justi
ces shalbe assessed.

¶ Shyrysses Bayliffes, Cōstables
and al other bede officers, and euery
of them findynge or knowynge anye
person vsynge or exercysyng any vn
lawfull games contrarye to the sta
ute, haue ful power to cōmitte euery

suche offendour to warde, there to re-
mayne wythout bayle or mayneprise,
so suche tyme as they so offendynge
be bounde by obligacion to the kyn-
ges use in suche summes of money as
by discrecion of the sayde Shyrefes,
or other officers, shalbe thought rea-
sonable, that they from hense forthe
shall not use any unlawfull games.

Anno xxxto. H. viii. Capi. ii.

¶ If any impotent personne begge
within anye other place then wythin
such be limytted as he shalbe assygned,
the shyrefes and all other the kinges
officers shall by their discrecyon pu-
nyshe suche persones by imprisonment
in the stockes, by the space of .ii. daies
and two nyghtes, gyving them bread
and water onely, and after that cause
them to be sworne to retourne again
to the place where they be licensed to
begge. Anno .xxii. Henrici octaui
Capitulo duodecimo.

¶ The Iustyces of peace vpon in-
formacion or presemēt made against
any Townshyp for none executyng
of this acte, shall make prores by di-
stres against the inhabitantes of the
towne and therby the Shyrefe shal
distreine the goodes of one or two of
the inhabitauntes of the towne as he
may knowe for negligēt in the towne
and retayne the dystres tyll he sende
suretie to appere at the Sessions be-
for the Iusticers.

¶ And vpō the retourne of the Shi-
refe of the differs, if the persone ap-
pere not, then euerye suche persone to
lose .xl.ō. at the fyrste distres, and at
the seconde distres. vi.s. viii.ō. vpon
his defaut, and so to be double at eue-
ry distres tyll apperaunce be had.

¶ Shyrefes that haue custodye of
Gayle shall make seales to be grauen
with the names of the Castel that he
kepeth, for to gyue and seale wrytes

to pryſoners accuſed to begge for
theyr fees within the hundreth whe
he is delyuered by .vi. weekes nexte af
ter his deliuery and then to go to the
hundreth where he laſte dwelled, by
iii. yere or where he was borne. The
Shyrife ſhal not ſuffer any ſuch pri
ſoner to begge for his fees, nor to de
parte but to do ſeruyce and laboure,
tyll that he delyuer hym ſuche letter,
and the Clerke of the peace to make
the briefe wythin one daye after the
ſeſſions, vppon peyne of twelue pens
to the kynge. Anno. xxii. Henrici. viii.
Capito. xii.

Cfor diſtroieng of Crowes, Rokes
and Choughes, it is ordeyned that
euery perſon hauing any maners lan
des and tenementes in theyr maun-
rance, ſhall do as much as in hym is
reſonable to kill and deſtroy the ſame
Crowes, Choughes and Rokes by de-
uyſe or abydynge vpon hys landes

of

of tenementes, vpō peine of a greuous amerciament to be set. And if the office be within the limittes of leetes, rapes, or court barons, then to be set by the steward with two of the presentours by the Steward, and presentours to be named vpon the presentment found and presented, and to be reasonably assessed after the qualitie of the offence. And the amerciament to be to the lord of the lawdaye. And if any person be lorde of suche mannors, or inhabite there (whereunto anye suche lawdaye or rape is belongynge) then vpon a presentment had before the Shiriffe in his tourne with two of the presentours to be chosen by the presentours shall cesse the sayde amerciament by their discretiō to the vse of the kinge and be leuied by distresse. Anno. xxiii. Henrici. viii. Capitulo x.

¶ And the shyrefles in theyr tournes shall gyue in charge to the tenantes

and inhabitaunte̅s apperinge befo̅
them that they shall duelye enquier,
and putte in execution the effecte o̅
this acte.

Shiriffes shall holde theyr courtes
from moneth to moneth. And wher
greater tyme is wonte to be, greate
shalbe, Magna Carta. Capi. xxxiii.

¶ The kinge commaundeth that
Shyrryffes and their officers whiche
receyue his det shal acquite lawfully
the dettours at the nexte accompties a
fter that they haue receyued the dette
and than it shalbe allowed at the Ex
cheker, so that it shall not come in the
somons after. And if the Shyrryffe
do otherwise, and be attainted there
he shall render thre times so much a
he hath receyued, and shall make fine
at the kinges will. And if an other
do it, for whose b̅nde he is answe
rable at the Eschecker, he shall ren
dre the treble therof to the plaintiff

and

and shall make fyne in the same. And the shyrefe shall make tayles to all them that haue paide him the kinges dettes. Westminster pymer. Capitulo nono.

¶ Concerning Shyrefes and other whiche haue leuyed the kinges dette, and make tayles or other acquitance to the dettour, and discharge him not

It is agreed that whan the shyrefe is impleded therfore in the Eschekier by the dettour, if he come not at the distres, then shall an other distres be awarded retournable at a certeine day wherein it shalbe commaunded that proclamacion be made in the ful countie, that the defendãt shal come in by a certaine daye to acquite the dettour of the summe, for which he made him the acquitance or tayle, at whiche if he come not in, & the writ be retourned and the proclamacio certified, he

shalbe

shalbe holden conuicte, and the dette shalbe lowed of hym, in lyke maner as dette recouered, against hym in the kinges courte, and damages shalbe awarded to the plaintyfe, accordinge to the discretion of the Iustices. xiiii. Edwarde .iii. the statute of Attein-ted, the last Chapiter.

¶ The kinge commaundeth that all Shyreues, & Baylifes whiche haue receyued hys dettes, of the fermes of the Exchequer, which acquite not ꝯ det-tours vpon hys next accompte, shalbe punyshed accordyng to the statutes made, touchyng of the Exchequer. Capitula quinta.

¶ It is ordeyned that execucion of writtes which come to the Shyreffe, be made by the handes of knowen and sworne, and in the full courte, and not by others, if it be not for greate feare of handes. For then it shalbe done by other persone conue-

nient

nilt and swozne. The statute of Lincolne the last Chapiter.

*Shirriffes shal not be charged with the leuienge of any issues, nor shal leuie anye before they come out of the Escheker by the extreates thereto be leuyed. And if peraase anye Shirriffe retourne issues vpon any resoygnit or pledge or manucaptor, bi him silked and retourned into our towne, which to the payments of the same issues or amerciamentes at the time of the retourne was in sufficient, the same Shirriffe shall be charged therwith at the Escheker, and shall make sayles to al persons of al maner of thinges bi him receyued, and shal not retourne anye where the names of manucaptozes. Iurrours, or other except it be according to the tenour of the writtes to them directed, nor shall retourne the names of pledges of fremē any tyme onles they haue manyfestly confessed

them

them selues pledges. The statute of Iwes. Capitulo secundo.

¶ No shirriffe, coroner, or other the kinges ministers shall take no reward for doing his office, and if he do, he shall paye the double, and shal be punished at the kynges will, but shalbe payde of that which they take of the kinge. Westminster. i. ca. xxvi.

¶ Shirriffes shal not suffer any barretours or maintenoure of matters within his county, neyther stewards of great lordes or other (whyche be not attourneys to theyr lordes to do theyr suytes) nor to sit vpon the iudgementes of ꝑ countyes, nor to pronounce thē except he be therto required of al the sutours and attourneis that shalbe ther at the same iourney. And if he do the contrarye, the kinge shall take it greuously to the Shyrriffe and the offendour. Westminster primo. Capi. xxi.

It

¶ It shalbe lefull for euery shiriffe Justices of peace, & Escheatours, to seaze to the kinges vse all such goodes and catels that such persons as come within this realme ꝑ be called Egipsians haue, & therof to make accõpte to the kinge in his Escheker, and to retayne and kepe ꝑ moyte thereof to his owne vse, and accompte for the residue, and to pay no fees for the accompte nor for his discharge therof. ¶ In the statute it appeareth what thing the shiriffe ought to do by reso of his office, and that he ought not to take any thing for doynge his office but onely that whiche is appoynted to him by ꝑ same estatute. And if he do or take any thinge otherwise, it is extorcio whych ought to be enquired vpon by Justicers of the peace, and the shiriffe shal be punished therfore. ¶ And if any shiriffe do any extorcio to the people and be duely attaynted

thereof

thereof he shall be greatlye punished therfore at the pleasure of the kynge. Anno primo. Hen. viii. Capitulo. xi.

¶ Shyrffes maye and are bounde to enquire of comē anoyfances done to all maner of the kinges subiectes, but not of assaultes made vpon anye pryuate person, for that is but a particuler offence, by Martin. iiii. Hen. vi.

¶ The shirffe muste kepe his tourne within a monethe after Easter, and within a moneth after the feast of S. Michel. And if he kepe it at any time after the moneth of the sayde feastes it is voyde by the estatute of an. xxxi. Ed. iii. Capitulo. xii. And all inditementes, and presentmentes there taken after the same time be voyde.

¶ Blodeshed shal be enquyred of, in the shyrffes tourne, bycause it is an artycle that is to be enquyred of in a Lete. If Letes be derived and taken out of the Shyrffes tournes, in so much

muche that for defaute of inquery in
lete of thinges inquerable ther the
same thinges there omitted ought to
be inquyred of in the turnes of shy-
rrffes. .B. viii. Edwardi. iii.

¶ And all the Justyceers sayde that
the Shyrrffe in his tourne hath auc
toritie, to inquire of all thinges that
be trespas or felony by the comō law
(except the death of a mā) but of tres
pas or felony made by estatute ꝑ shi-
rrffe in his turne hath no power to in
quire of. .B. xxviii. Edwardi. iii.

¶ And if the shyrrffe in hys turne in
quire of instances, that shoulde be in
quired of in the Lete of an other, &
the same be founde, yet maye he not
distraine for the amerciamēt of such
presentment. For yf he do he is tres-
passoure. But yf there were a defaut
in ꝑ lord of the Lete in that he wold
not inquire or finde the same, whan
he ought to haue inquired therof in

thiscase it semeth that the shiriffe in his tourne may inquire of it i defaut of the lord e. M. xxviii. Edwardi. iiii.

¶ And if one haue a fayre or market by graunt or prescription, and kepe not his fayre or market, as he ought the shiriffe ought to inquire thereof in his tourne. xxii. Henrici. vi.

¶ Upon a presentment of Nusance in the shiriffes tourne, the party shal be amerced there by the shiriffe, wh the may distraine for ꝑ amerciamẽt And if propresture be presẽted ther the shiriffe may abate the same, and refourme it. ꝑ. xxvi. Edwardi. iii.

¶ Also it appeareth by the booke of Briton that vnto the turne of the shiriffe ought to come al the freholders of the hundred, and other lande, tenauntes (Clarkes, men of religion, and womẽ onely except) where at ꝑ shiriffe shal cause. xii. of the most sage and sufficient persons of the hundred

to

to be swoze . And then shall all the
residue be swozne by dosyns and by
the townes, which shall make their p̄
sentment to the first .xii. Jurrours v-
pon the artycles wher with they shal
be charged. And it semeth that the shi
reffe ought to holde his tourne in eue
ry hundzed within the countie.

¶ What thinges be inquirable in
the Shyrykke tourne.

FIrste they shall enquire yf
there be any misdoer in the
hundzed of whom any stā-
deth in doute of lyfe oz lim,
and what is his name.

¶ Also they shall inquire of all moz-
tall enemies, to the kynge, the quene
theyr chyldzen, oz counsellours, of
counterfeatynge the kinges seale oz
hys money, of manslears and murde
res, of burners of otherg cozne oz
houses felonyously, of Burglourys,
of Robbours, of theues, of outlawes

of those that haue abiured ȳ realme and cumme agayne, of sozcerers & witches, of mysceantes and hetetykes, of traytoures & of pzysoners, of cutters of purses, of bsurers, of bytaylers byenge and sellyng wittingly stolne flesche of them that wittingly make white the skinnes of beastes stolne, of redubbours that wittingly bye stolne clothes, & dzesse them into an other facyon of treasoure hid in the grounde, hues & cries wzongfully oz rightfully leuied and not pursued, oz wares stopped, straightened oz tourned, of bounder pulled bype oz wzongfully chaunged, of walles, houses, gates, marlepittes, dytches oz other dysturbãces made oz leuied vpon any common way to the annoyaunce, of pety bzybcures that shepe to haue the wulle, of suche as take thefoote, and of those that haue made a pzysone of theyz owne hous

oz hous

or houſholde, of pounde breache, of treſpalles in parkes and pondes, of takers of other mennes Doues, of ꝑ aſſiſe of breade and ale broken, of the that bye and ſell by meaſure againſt the aſſiſe, of chaunce medleys, of con teckours, of bloudſhed, of watches vnkepte, of the kinges hyghe wayes not enlarged, of thoſe that haue kept appeachours in any other priſon the the kinges or any other ſtlō aboue a day & a night, of new liberties, cuſto mes, or iuriſdictions vſurped ſins ꝑ laſt tourne no water or no lande, of weyffes, of wreckes of the ſea found and kept away, of bridges and caul ceis broken, & who ought to repaire them, and of thoſe that claime fraun chiſes, or iudgementes reales, and of al theſe of the age of.xii. yeres gō out of the hundre, which be not come into the tourne (except Clerkes, knightz their childrē & wiues whych

be not in dousing of vacabondes by the countrey whiche are of no mans retinue, of whom there is anye euyll suspection of lewde demeanour.

¶ And when the townes hath geue their verdite to the firste Jurrours, then immediatlye shal the first Jurrours go and giue vp theyr presentmēt suche as they will abide by. And the presentment of felonies they shall shewe priuely, and the other openly. Briton. lib. i. Folio. xxxvii.

¶ Nowe must ye inquire further if Baylifes of liberties and fraunchises haue duely done theyr office whiche resteth in thre pointes, whiche is, that they truly execute the preceptes which be directed vnto theym according to the tenours of the same, and that they make due aunswere and returne to the Shiryffe of the same preceptes, and that he take nothyng for doinge his office, but onely the

fees

fees to hym due, and apoynted by the
course of the law, and what fees they
shall take, & what thyng they ought
to do by reason of their office shal ap-
peare more playnlye here folowynge

¶ The office of Baylyffes.

of liberties.

Vpon a precept made by
the Shyrffe to a Bay-
lyffe of a lyberty vpon a
writte of distres directed
to the shyrffe to distrein
the defendant in the same wrytte, or
the Iurrours in any inquest, ỹ Bay-
lyffe must retourne good and suffici-
ent issues, vpon the defendant, or vpō
the Iurrours yf they haue sufficyēt
goodes or landes within his Bayly-
wyke, and yf he do not the playntyfe
in the accion shall haue an auerment
that he might haue retourned grea-
ter issues, if the defendaunt make de-
faut, or ỹ iurrours by ỹ sta. of. i. E. iii

Capitu.b. And iusticers of the peace muste inquire if the Baylyffes haue done their office in that point.

¶ Also they muste inquire if Bayliffes of libertyes whiche be kepers of any Gayle, enforce any of theyr pryſoners to be appellours, to the entēte to haue a fine of the partyes appeled for doubt of impryſonment. i. Edwar. tertii. Ca. vii.

¶ Bayliffes of liberties which take inditementes in their tournes, or other where, ought to take them by indenture, whereof the one party ſhal remaine with the inditours, and the other with the bayliffs. ii. Edwardi. iii Capitulo. xvii.

¶ None ſhalbe made Baylyffe of libertie, exepte he haue ſufficient land in the place where he is mynyſter, to make aunſwere to the kinge and his people. iii Edwardi, iii. Cap. ix.

¶ Bayliffes of liberties whiche be

Gaylours,

Gaylours, and haue the keppynge of
prisos ought to receiue & safely kepe
all theues deliuered to theym by the
Constables of the townes, being in-
dited, taken with the maner, appea-
led of felony without takinge ought.
iii. Edwardi. iii. cap. x.

¶ Baylyffes of hybertyes muste re-
teyne such persones as be arrested in
their fraunchyse, by the Constables
for suspition of felonye, that walke
in the cõtrey by nighte, or be of euil
name, and shall kepe them in prison,
vntill the cõminge of the Justices of
Gayle deliuery, & in the meane tyme
the Baylyffes muste inquire of them.
b. Edwardi. iii. Capit. xiii.

¶ Bailiffes of liberties, Constables
and other officers of townes, where
loyterers and vacabounded resorte,
haue power to examine them diligẽt
ly, and compel them to fynde suertye
by sufficiente maynpernours beinge

distreynable of their good behauy-our. And if any defaut be founden in the same loiterers, & vacabūdes, and can not finde suertie, they shall be sēt to the next Gayle, there to remayne vntil the commynge of the Justicers of Gayle deliuerie whiche maye do with them as they shall thinke beste by the course of the lawe. vit. Richar di secundi. Capi. v.

¶ No seruaunte or labourer at the ende of his terme shall depart out of the hūdred or rape where he is dwel ling, to dwel any other where, onles he bringe a letter patent conteyning the cau'e of his goynge, vnder the kinges, ealle therto assygned. And if any seruaunt labourer be founde ba gerant without such letter, he shalbe taken forthwith by the shirifs Maires Bailifs or other officers, & put i stockes vntil he finde surety of retourne to the towne to serue frō whence he came

raine, vntyll he haue suche a letter to
departe for cause reasonable. vii. Ri-
chardi. ii. Capitulo. iii.

Baillyffes, of libertyes haue power
to arrest seruauntes & labozers that
we are daggers, swozdes & knyues &
them to sease & kepe vntil the sessions
of the peace, and the weapons to pre-
sent to ꝑ Justicers there, with the na-
mes of them that beare them and the
weapõs shalbe forfaite, except they
be trauelyng in the cõtre with their
masters, oz in their landꝭ oz busynes
vii. Richardi. ii. Capitulo. vi.

☞ Shyrryffes and baylyffes of liber-
ties in their libertyes, are bounden
to receiue seruãtes, & labourers beg
ginge and bagarant, and them to de
tayne imprison wout bayle, without
takinge of any fee oz other thynge of
them at them entre oz depting by thẽ
selues oz by their deputies vpõ paine
of. C. s. to thẽ kinge. vii. R. ii. Cap. ii.

Bay-

¶ Bayliffes of liberties to whome the kepyng of the assise of bread & ale and the correction of the same belongyng shal take no amerciamente nor fine for no defaut touchinge the sayd assise for whiche the offendour ought by the lawe to haue corporal penãce but they shall adiudge theym to the same penance. And Bailiffes of liberties & al other that haue the kepinge and ouersight of vitayles shal put in due executiõ the estatute made in the xxiii. yeare of Edwarde the thyrde, which beginneth. Quia maior pars populi. &c. xxii. R. ii. Cap viii.

¶ Bouchers, Fishers, Hostellers Brewars, Bakers, Pulters, and all other sellers of vitailes, are bounden to sel such maner of vitayles at a resonable price, hauinge regarde to the price wherat such vitailes are solde, all other places nere, so that they maye haue a competente gayne, and

not

not expressyue according as by the dy-
stante of the places (from whens the
vitayles are caried) they shal thinke
reasonable to be inquired. And if any
sel vitailes in any other maner & then
of be cõuict, he shal pay the double of
that he hath receiued to the party en
domaged, or in his defaut to any o-
ther ỳ wil sue therfore. And Maires
& Bayliffes of townes &c. haue pow
er to inquire of al suche as offende a
gaist this ordinaũce in any poĩt. And
in case that ỳ same Mayres, & Bay-
liffes be negligẽt in doyng execucion
of the premisses, and therupon be cõ
uicted by the Justyces assygned by
vs, they shalbe cõpelled by the same
Justyces to restore the treble value
of the thinge solde to the partye gre-
ued, or to any other ỳ in hys defaute
wyll sue and neuertheles shalbe gre-
uously punyshed agaynste vs. xxiii.
Edwardi. iii. Capitulo. vi.

No

No Stewarde, Baylyffe, nor other ministers of lordes of fraūchises which haue retourne of writtes shal be attourney to any persō in any matter within the same fraunchise or bailiwike where he is officer at any maner of time. viii. Henrici. viii. Cap xix.

If any heynous riot be made, the Justicers of ỳ peace and the shiriffe or vndershiriffe ought to do their office accordinge to the estatute made xviii. Hen. viii. And if they do not at ỳ sute of the party greued a commissiō shal go forth to enquire thereof, and of the default of the Justicers and the shiriffe and ỳ Corōner shal serue the proces̄e, and he muste retourne persons that haue land to the yerely value of. x.l. and shal retourne also xx.s. in issues at the firste dye, and xl.s. at the seconde daye, and at the thirde daye .C.s. and so double it at euerye daye after. And yf default be in

be in the Cozoner in returnyng the iſ-
ſues, oz of perſons of ſuche lande, he
ſhal leſe.xl.li. And yf the olde ſhyrryffe
be diſcharged, the newe ſhyrryffe ſhal
ſerue the pzoceſſe, and not the Cozo-
ner, vpon peyne of.xl.li. if the defaut
be founden in hym, touchynge the
tourne of ther perſons by hym enpa-
nelled whiche haue not landes to the
yerely value of.x.li. oz to returne ſuch
iſſues as the Cozoners be charged
with. And Bailyffes of libertyes are
bounde̅ foz to impanell ſufficient per
ſons, as aboue is ſayde, vppon peine
taleſe xl.li. in caſe that ſuche perſons
may be founde within his Bailwike
ſi. Henrici.iiii. Capitulo. viii.

¶ Bayliffes of fraunchyſes ought
to make their retournes, and aun-
ſwere vnto the Shyrryffe vppon his
pzecepte made vnto them in a ſpecial
wzyt of aſſiſe.vi.dates before the day
of y leſſo̅s vpon peine to forfait.xl.li.

for

foz euerye tyme that they shal do the contrary. vi. Henrici. xxi. Capitulo secundo.

¶ Where a precepte is made to the Shyrysse by Justycers of the peace to retourne a panel to iquire of forcyble entre, and he sendeth his precept to ꝑ Bailliffe of ꝑ libertie to returne the panell bycause the riot was done within the libertie, nowe is the Baylyffe bounden to make due retourne and execucyō of the preceptes to him directed vpon peyne of. xx. li. foz euerye defaute. And the statute wyll that the Shyrysse shall retourne. xx. s. in issues vpō euery Jurrour at the fyrst daye, and that euery Jurrour whiche shall passe in the inquire, shal spende. xl. s. perely, wherby it semeth that Baylyffes of libertes are boundē to do likewise, if so many of ꝑ said Jurroures be win his libertie, foz els he is not, vii. Henri. vi Capitu ti

to Bayliffe,

¶ Bayliffes of lybertyes in attayntes vpon plee of land of the yerely value of .xl.s. or more, nor in attayntes for dedes concernynge landes of lyke value nor in attayntes vpon perſonal actions wherin the demaūde extendeth vnto .xl.li. or more, ſhall not retourne or impanell any perſons in ſuch inqueſtes but thoſe that be dwellinge within his Bailliwike, and that haue eſtate to their owne vſe in landes & tenementes for terme of lyfe to the yerely value of twenty poundes or more within his Bailiwike out of any fee demeſne and the fyue partes of the firſt daye of the diſtreſſe retourned ſhall retourne no leſſe yſſues in ſuch actions of attaynt than .xl.s. and at the ſeconde diſtres .C.s. And the double of euerye other diſtres vpon the perſons impanelled and retourned. And yf he do the contrarye, he ſhall pay .x.li. to the kinge and aſmuch

to the partye.ii. Henrici septi. Capitulo quinto.

¶ Bayliffes and other the byngers officers maye arrest those solliciters that come from the see and theme the letters testimonials from theyr Captaynes that they have lycensed them. And they shall kepe theym vntyll they have inquired whether that they have licence or not, and if they have no lycence, then shall they be punyshed as felons. xxiii. Hen. vii. Capitulo.

¶ No Bayliffe of a libertye (by any precepte to him directed to retourne the panell of any enquest) shall in the same retourne any Bayliffes, officers or seruauntes to anye officers aboue sayd, nor shall take anything by themselfe or by other of any person by them arrested or attached to their owne vse or auayle, nor of any other person for any arrest or attachemente by them doone made by them, or that is arrested

by

by vertue of theyr office, for fyne, fee,
fauyre of pryson, makynge lettinge go
bayle, of thevyinge of any vaile or fa-
vour to any person so beinge arrested
by their warde or prokyle, but as is
afore expressed; that is to wyt for the
Bayliffe xx.d. the Bayliffe that mak-
eth the arrest, iiii.d. and to the gay-
lours if the prisoner be committed to
prysone. vi.d. And no Bayliffes of any
liberte, nor Coroner by hym selfe nor
by other by colours of his office shall
take anye thynge for the makynge of
extentes or panel, and for the makynge
of a panell but iiii.d. Also Bayliffes
of lyberties shall let out of prison all
persons by them arrested or beinge in
their keepynge by force of anye bylle,
writte, or warrant in any accion per-
sonall, or by force of any inditement of
trespas, vpon reasonable suretye ha-
vinge sufficient within the Baliewike
where they be set to bayle, to kepe their

dayes in the same places as the sam
bille, writte, or warrant shall inquir
those only excepted, which be in ward
uppon any condemnacyon, or be ex
communycate, or outlawed, or arreste
upon sureties of the peace, and bage
saunces that refuse to serue. And that
the saide Bayliffes shall not take any
obligacyon of any person, nor by any
person beyng in their warde by cour
of the lawe, for any the causes above
rehersed, but in the name of their of
fyce and upon the condicyon that the
same person shall appere at the day
contayned in the saide writtes, bylles
or warrauntes, and in suche places as
they require. And if any Bayliffe
take any obligacion in any other fourm
than by colour of his office as it shall
longe, and that he shall take no mor
for the makynge of any suche obligac
cyon, warrauntye, precepte or byll
to be made, but foure d. upon pe

do contrarye vnto thys Ordynaunce in any poynte, for so doynge they shall rendre vnto the party greued his damages trebly, and shall forfeyt for euery tyme that they do the contrarye .vi.li. the one halfe whereof shalbe to hym that wyll sue in anye of the kynges courtes therefore. &c. Finis. Quinti Capituli decimi.

¶ Baylyffes of Iyberties ought not to seale the goodes of anye person arrested or imprisoned for felony before that they shalbe conuycted or attaynted of the same felonye, according to the lawe, or els that the same goodes be otherwyse forfayted, vppon payne to forfayte the double value of the goodes so taken, vnto the partyes endamaged, suyng therfore by action of det, wherein no wager of lawe, essoyne nor protection shall in anye wyse be allowed to the defendaunt. Prima Richardi secundo. Capitulo tercio.

of Baylyffes of liberties that be gay-
lers and have the keepynge of gayles,
shall certyfy the namas of euery pry-
soner in his gayle that is there for fe-
lony, at the next generall gayle dely-
uere in euerye countye or fraunchyse
where such gayle is to be halden yer
before the Justyces of the same gayle
delyuere, vpon payne to forfayte for
euerye defaute there recorded. C. 9.
Anno iii. Henrici vii. Capitulo. iii.

All Baylyffes and other hed offy-
cers, and euerye of them fyndynge or
knowyng any person vsynge or exer-
cisyng any vnlawful games contrary
to the statutes, haue power to com-
myt euery suche offendour to warde,
and ther to remayne in peyson wyth-
out bayle, or mainprise, tyll such tyme
as he be bounde by obligacion in such
sum, as by discrecio of hym that taketh
the bonde semethe reasonable, to the
kinges vse, that he shal play no more.

Anno

Anno.xxi.Henrici.viii.Capi.xi.

¶ All statutes made agaynste Shyriffes, vnder Shyriffes, Baylyffes or other mynysteres for makynge or returnynge of panels, or Jurye, or for due execution of seruing of wrytes or other proces, or for takynge of fees or for the reformation of extorcyons or for any other thynge concernynge their offyce, and al paines conteynynge in euerye suche statute, shalbe extended to all Stewardes, Baylyffes and other mynysters, and offycers of lybertyes and fraunchyles haynge returne of wrytes, and execution therof in like maner as they extend to Shyriffes, the vnder Shyryffes, Baylyffes nor other mynysters. Iauynge that the Baylyffes, and offycers of lybertyes maye occuppe their offyces for as longe tyme as they shalbe graunted vnto them. Anno. xxvii. Henrici octaui. Capitulo xxiii.

THE OFFICE OF ESCHEATOVRS.

We shall enquire of Eschetours, if they haue duelye executed their office and of they haue taken anye more for doynge therof, then they ought or if they haue committed and done any extorcion or oppression vnto the kynges people by coloure of their office. And therfore ye shall vnderstande, that an Eschetour ought to medle or inquire for no thyng but in case where the kynge of right ought to be entitled and haue the lande or thyng that is founde for him by the enquest, for if one holde of the kynge as of the duchye of Lancaster by knightes seruice, & dye, his heyre beynge within age, the kynge ought to haue the ward of the heyre, and the lande. And yet in that case if the Eschetour

soule fynde it by office, he shal haue no thynge for the fyndynge therof, bycause the tenant helde not of the kyng in cheife as of his crowne. And therefore the kynge may enter and seaze the lande and the heyre without office, & may graunte it. In lyke maner if the Escheatour fynde by office that one dyed seased and helde of other lordes and not of the kynge by knyghtes seruice and that he is dead and his heire within age. The Escheatour shall demaunde nothing of ryght for fyndyng of suche an office. And so yf he fynde an office that one dyed seased of suche a mannour in fee, and helde of the kyng as of suche an honoure or Castell by knyghtes seruice, and his heire within age: yet ought not the Escheatour to haue any fee or duetye for the fyndyng of that office, and yf he take any thyng therfore it is extorcion, which is inhibited by a ryght olde statute

dramum / the wordes wherof be these
Quia Georgius Ferquis de nobis tenuit in capite die quo obiit, diem clausit extremum, vt accepimus, &c. Wherby it appereth that if one holde not of the kynge in chyefe the Escheatour ought not to haue the fyrst fortye shyllynges for fyndyng of the office. And yf he take it in that behalfe, it is extorcyon.

¶ Also in assyse if the defendant saye that the landes are leased into ꝑ kynges handes by the Escheatour, and the Escheatour beynge there present and examined by the Justices there upon, do confesse that he hath leased the landes into the kynges handes, where in dede he hathe not so done: in this case the Escheatour doth wrong to the playntyfe, whych may haue no action vpon hys case against the Escheatour for hys falsed, and for the delaye that he hath susteyned through that cor-

fusyon by suynge to the kynge for
[illegible]

¶ None shalbe Subeschetour unles
he haue sufficient landes in those pla-
ces where he is officer to aunswere to
the kynge and his people in case that
any pleyll complayne agayn̄ste them.
Anno quarto Edwardi tercii. Capi.
primo. Anno. 9. eiusdem. Capitu. iii.

¶ The Eschetaures shalbe chosen
euery yere as the Shirriffe shalbe and
by the same persons & those the Shy-
riffes. And that no Escheatour shall
abyde in hys office above one yeare.
Ao. viii. Edwardi ii. Capitulo vii.

¶ The Escheatour shall not do waist
in Bysshoppryckes. and other places
duringe the vacacion of them, neither
shall sell vnder woodes, nor chase in
parkes or warrens, nor fysshe in pon-
des, or fre fysshynges, nor shall take
no fines of any tenemētes fre nor bōd
but shall cause the to be kepte & saued

with

wythout doynge damage or any maner of oppression. Anno primo Edwardi tercii Capitulo quarto.

¶ Soby this estatute it appeareth that it appertayneth to the office of an Escheatour to seale the temporalyties of Archebyshoppryches, Byshoppryches and Abbeyes of the kyng in fall vacon, duryng the vacacon of the same, and to take the profyttes, and to accompte of them to the kynge in the Escheakes: Howebyt there is an other estatute made in the same yere, the effecte wherof is, that yf the prelate and chapytour, Prioure or Suppriour, shall take temporalties to ferme, payenge the value accordynge to the remembraunces in the Escheaker, that they shall haue the before any other. And by an other estatute made the same yere Capitulo tricesimo, the Chaunceller, Treasorer of the Escheker, tresorer of them suche other of the Counsell, all

they

they shall thynke good, shall lease the
temporalities of Archebishoprykes, Bys-
shoprykes, Abbeyes, Priories, and o-
thes howses of religyon (that voydde
whereof be long to the king) the Dean
and Chapter, Warden, or Surveyour
Prioress, or Surveyores, and Couent
at a certayne rent to paye by theyere.
quarters, ymmediatly vpon the ha-
uynge of the same: And neyther the
Electours nor eny other officers shall
sele cause or matter to enter or to
medle, nor do any thynge in preiudyce
of the churche, but yeldynge to the kynge
and his heyres knightes fees, aduou-
sons, Elections, Wardes, Marriages,
reliefes, and scruyces to the sayde
fees belongynge. In wytnes whereof
the kynge caused his letters patentes
to be made thereof, dated at Westmin.
the eighte day of Apryll the yere above
specyfied, whereby it appereth that

the

ferme

tenures and rentes were followyng suche
lawe made aswel for the time paste
as the time to cõe. An. xxviii. C. iii. 4.
¶ The kynge and hys progenytours
haue bene seased of forfaytours of
landes, time out of mynde that is as
well of landes and possessyons, as of
goodes and catteles. And by colour
therof escheatours by theyr office
haue seased many landes, and tene-
mentes as forfaytes to the kynge for
myspryse treson in some persons beyng
dede at the tyme of the seasee, which
neuer were attaynted in theyr lyues.
The kynge hathe ordeyned to the kynge
many forfaytures that fell in the time
of hys graundfather or before, that
is none as anyquell therof shalbe re-
tourned into the Chaunceryp by any
escheatour or other that hath powere
to enquyre therof, the tenaunte shall
not be putte oute of possessyon, but
shalbe warned by a Scire facias

to

to appere at a certaine daye for to answere vnto the same yf he will. And if no suche forfaytoure be founde the kynges hande shalbe closed, so that in all other cases of forfaitures of lesse son by persons deceased not attainted not iudged in their lyues, the herytages nor landes tenauntes shall not be chalenged nor empeched of any other forfaytures, but of those onely that haue bene iudged in tyme passed afore the deathe of certayne persons by presentment in Eyre or in the kynges benche as of felons of the kynge and other. And therfore it semeth that if one moue warre against the kynge in his realme and is slaine in the same then the Escheatoure maye seaze the landes and tenementes, as forfaiture of warre without anye other enquiry to be made therof.

¶ Euery Escheatour must take by inquestes of office of good and lawfull

of men

men ſufficient of inheritaunce and of good fame, and of the ſame countye where the inquire ſhalbe made. And ꝑ inqueſtes ſhalbe indented betwene the eſchetours and the Iurrours, and yf it be other wyſe doone, they ſhalbe boyde, and they ſhalbe taken in good townes openly.

¶ Trauerſe may be taken to theſche tours office, wherby auye alienacion or ꝺyenge ſeaſed, or that the heyre is within age, and the lande holden of the kynge in chiefe is founde.

¶ Landes ſeaſed into the kinges hā des ꝺꝛ reaſon of warde, ſhalbe kepte without waſt And theſchetours ſhal haue no fee of veniſon, fiſche, nor other thynge, but ſhall aunſwere the kinge of the iſſues and yerely ꝓfyttes arꝛy ving of the ſaid landes without waſt. And if he do other wiſe, then to make fine at the kinges wyl, and to pay tre ble damages at the ſute of ꝑ heire, as

well wythin age, as of full age. And yf he be wythin age, his frendes shall haue the suite of him aunswerynge to the heyre of that, that so shalbe recouered of him. Concerninge other landes seased into the kinges handes by inquest of office by theschetoure this forsaide ordinaunce and punishment shall holde place agaynst theschetoure And if any make clayme to landes so beynge seased, theschetoure shall returne an inquest into the Chaunceryе wythin one Monethe after suche seaser, so that a wryt be delyuered to him, to certyfie the cause of the seaser and there shall the partye be harde to trauerse the office, or otherwyse to shewe hys ryghte. And the Chauncellor vppon his owne discrecion (yf he se cause) maye seasse the landes to the tenaunte payeng to the kinge the value, if it belong to the kyng so that he finde suretyes that he shall do no

waſt vntyll it be adiudged. And the Eſcheatoures ſhall take theyr Inqueſtes in good townes, & by honeſt men openly by Indēture to be made betwene theſchetour and them of the inqueſt. And if he do contrary to this ordinaunce, then to haue two yere impriſonment, and further to make fyne at the kinges pleaſure. An. xxvi. Edwardi. iii. Capitulo. xxii.

¶ None ſhalbe Eſchetour if he haue not xx. li. landes at the leaſt or more in fee. and that they execute theyr offyce in proper perſon. And yf he be otherwyſe, then to be put out, wherby it appeareth that the Subeſcheatour can not inquire, nor fynde offyce. An. xii. Edwardi iii. Capitulo. v.

¶ Eſcheatours nor commiſſyoners, ſhall not take inqueſte, but by thoſe that be impanelled & returned by the ſhiriffe, & if they do otherwiſe & be conuict by examanacio or otherwiſe at ſ

ſuyte of the partye, or of the kinne, or any other perſone that wyll ſue, they ſhall incurre the peyne of. xl. li. the moytie to hym at whoſe ſuyt they ſhal be conuyct. And that no landes ſeaſed into the kinges handes ſhalbe let to ferme by the Chauncellour vntyll the inqueſte and verdytes be retourned into the chauncerye, and by one moneth after the ſame retourne, excepte it be to the partye greued which was put out of thoſe landes by the inqueſtes, and wyl offre to trauerſe the and ſhewe good euydence, and fynde ſufficiente ſuretye to ſue hys trauerſe with effecte, and to paye to the kynge the yearelye value of the landes yf it had to be diſcuſſed for the kynge. And yf any letters patentes of any landes or tenemētes to the contrary be made to any other perſone then to hym that offereth to trauerſe, or be let to ferme within a moneth nexte to the ſaid mo-

neth

nesby of retourne they shalbe boyde, and holden for non. Anno. viii. Henrici vi. Capitulo xix.

¶ Escheatours and Commyssioners shall retourne the inquestes taken before them into the chaūcery, or in the chequer within one moneth next after the takynge of the same, vpon payne of x.li. the one moytie to the kynge, the other to him that wyll sue. Anno viii. Henrici vi. Capitulo xix.

¶ And if any Escheatoure take anye office before him, and do not retourn the same into the Chaūcery or the chequer within the moneth next after the takynge there of, he shall incurre the payne of xl. li. forfayte by the statute made Anno viii. Henrici vi. and further shalbe bounde to pay to the kyng as muche as he is endamaged by the not retournyng of the same. And that the Chaūcellour of England callyng to him the treasorer of England may

lt ake fuche fermes for the due execu
cyon of the fayde estatute. Neuer the-
leſſe it appereth that the ſame estatute
gyueth but .xx. li. of forfayt agaynſte
The ſcheifour or commiſſioner. There
fore ſerch for the true recorde of bothe
the ſtatute. In. xviii. Henrici. vi. ca-
pitulo ſeptimo.

¶ Eſcheatours muſte take theyr in-
queſtes of office by vertue of ꝑ writs
of (diem clauſit extremum) and all
other writes wythin one moneth af-
ter the receyt of the ſame, & that ſuche
inqueſtes be taken in good townes
and opē places. And that none of the
pryuely nor openly by him ſelfe or by
other take any thinge for the execuci
on of ſuche writtes in one countye a-
boue the ſumme of .vi. s. viii. d. or .xiii.
s. iiii. d or vnder wyth his labour and
his coſtes ſo that the ſumme that he
hath taken all togither excede not a-
boue .xl. s. for the executio of any ſuch

writ

wyttie in one countye. And yf he be contrary to the premiſſes, then to forfayte the ſumme of.xl.li. the moytie to him that will ſue for the kynge and him ſelfe. Anno. xviii. Henrici ſexti. Capitulo. xvii.

¶ None halbe Eſcheatoure, yf he haue not landes or tenementes to the value of.xx.li. wythin the countye for terme of lyfe, nor in the countye wher he is Eſcheatour. Nor no Eſchetour ſhall let his office to ferme, nor make deputie (other then he will at hys parell anſwere for) whoſe name he muſt certifie by his letters patentes to the Treſorer and Barons of Theſcheker for the tyme beynge wythin.xx. dayes after ſuche deputacio made. And that no ſuche deputye take vppon hym to occuppe in the ſayde office onles the eſcheatour haue landes, tenementes, or rentes to the yerely value of.xx. li. as before is ſayd. And if any perſo do co-

trary to the premisses or any of them, then to forfayt for every defaut, xl. li. the one moyte to him that will sue, & the other to the vse of the kinges house by accion of dette, where no wager of lawe, essoyne, or protection shall lye. Anno. xii. Edwardi. iii. Capitulo. ix.

¶ No shyryffe Eschetour nor other person shall lease or take ỳ goodes of any person arrested or imprisoned for felonye before that the same person is arrested or imprisoned be convicte or attainted of ỳ same felony accordinge to the lawe of Englande or that the same goodes shalbe otherwyse forfaited, vppon peyne to forfayte the double value of the goodes taken to the partye damaged suyenge therfore by accion of det where no wager of lawe essoyne nor protection shall lye. Anno primo. Richardi. iii. Capitulo. [illegible]

¶ If any Eschetour or Commyssyoner put into any of the kynges courtis

anye

any inquisicyon or offyce concerninge landes or tenementes or other hereditamentes not founde nor presented by the othes of .xii. men, and indented and by them sealed, then to forfayte forever ye such offence retourned, and put into anye of the kynges courtes ane. C. li. to the party greued. Au. iii. Edwardi capitulo secundo.

The Escheatour nor other Commissioner shal set by vertue of any of Commyssyon to enquyre of landes & tenementes excepte he have lãdes or tenementes, or herepitament to the verely value of .xl. marke over all charges, upon payne of .xx. li.

The Escheatours and Commissioners shall be discharged by there othes that they wayte not dispendyng .xl. Markes over all charges, and that upon proces made against them quite of the Escheker. The Escheatours & commissioners shal set in open places

and shall suffer euery person to gyue
euidence openly in theyr presence to
the inquest taken before them vpon
payne of.xx.li.

¶ The Jury shall receyue the coun-
terpayne of the indenture that shalbe
presented, indented and sealed by the
Escheatour or Commissioner, and to
rest in the possession of the fyrste man
that was swoorne in the same Jurye
vpon paine of euery person that shall
be swoorne.xx.s.

¶ And euery Escheatour and Com-
missioner after the Jurye is swoorne
and redy to gyue theyr verdite, and of
fer to present the same, that the same
Escheatours or Commyssioners, or
parte of theym shall receyue the same
verdit without further delaye vpon
payne of a.C.li. and delyuer the coun-
terpayne of the same indenture to the
Jurye in fourme before sayde vpon
the same payne.

¶ And yf the Clerke of the petie bag or his deputye wyll not receyue suche offyces, and put it into the files to remaine of recorde within thre dayes after it be receiued or offered to be receyued, he to forfait for euery such defaut .xl.li. And the Commissioner, and Escheatoure to be discharged of the penaltye of forty pound, lymitted by the Statute for none retournynge of the same offyces, or inquysycion wythin one moneth.

¶ And lyke lawe and penaltye to be ageyn ste the offycers in the kynges Escheker which ought to receiue such inquisition for refusing so to receiue the. And the cõmissioners and Escheatours to be discharged of the penalty for none retournyng of the same inquysicion so that the sayde Escheatours or cõmissioners at any time after shewe neth yt such office before the found or before any of the within an other mo

neth

then next ensuynge, returne the sayde
office into the Chauncerye, or Eschequer, as the case shall require. And the
clerke of the petie bagge to certifye a
transcripe of euerye such office taken
before any Commissioner, or Escheatour into the Escheker the next terme
folowynge the receipt thereof, vppon
payne of C.s. for euery such defaute.
¶ And no man be compelled to accepte the office of Escheatourship, or any patente ouer one hole yeare, and that he
shall is ones Escheatour shal not be Escheatour agayne within iii. yeres next
after the sayde hole yeare ended.
¶ If any Escheatoure executyng his
office by reason of any patente ouer
tyme of a hole yeare ended, or be
made Escheatour within thre yeres af-
ter then after the sayde hole yeare ended his patente so made to be voyde:
and the partye greued shall haue his
accustomed action vpon the sayde fay-

tours

layfures of one hundreth pounde, by
accyon of det, where no wager of law
alloyne nor protecyon to be allowed.
Ther be dyuers prouicions made for
dyuers Escheatours in Cities and Bo
roughes and in dyuers counties.

¶ And yf the landes or tenementes
of anye man be seased into the kinges
hande by vertue of any office founde
before the Escheatour, or Commissio-
ner, or by reason of any other record
founde in the chauncerye, or the sche-
ker, and he that so is put out of hys
landes by reason of suche record, or
office so founden come and trauerse
that record or office, and it is founde
for him: wherupon he hath his iudge-
mente that the kinges handes be lo-
sed and amoued, nowe yf it so be that
ther be another record or office foudd
remaynyng amongest the kinges re-
cordes which is not trauersed nor tryd, yet shall not the Escheatour sease the

landes

landes agayne in the kinges handes by reason of that recorde being found and not trauersed. And yf he do, then dothe he wronge and extorcyon, and the partye that is put out shall haue assise agaynste him, and shall recouer double damages agaynste him. But in this case the kinge must sue a Scire facias agaynste hym that hath the landes out of his handes, vppon this other record of office that was not trauersed before. Thys is gruen by the statute Lincolne called the statute of Escheatours. An. xix. Edwardi ii.

¶ And if Thescheatour by coloure of his office wythout warant or auctoritie of the lawe that be longeth to his office disseise anye man of his landes or tenementes, the partye that is disseised, shall haue an assyse of Nouell dissetson, and shall recouer double damages agaynste thescheatoure. West. i. Capitulo. xxvi.

¶ The Eſcheatours hath no power to amercye anye man that appeareth before hym, and myſdemeaneth hym ſelfe, or if the Iurrours that be ſomoned appere before do make defaute, he ſhall recorde ſuche thynges in hys rolle & ſhal not amercy ỹ Iurrours, but he ſhall ſende the ſame recorde to the Iuſtices in Eyre, or to the Iuſtices of Aſſiſe, when they come into the countrey.

¶ It ſhalbe lefull to the ſhiriffe, Iuſtice of peace and Eſchetours to ſeaſe to the kinges vſe all ſuch goodes and catteles that ſuche perſones as come within this realme that be called Egipcians haue, and therfore to make accompt to the kynge in his Eſcheker and to retayne and kepe the moytye thereof to his owne vſe and accompt for the reſidue, & to pay no fee for the accompte, nor for his diſcharge therof

¶ The office of Conſtables.

For

FOr as much as the office of a Constable was an office at the common law of long continuance, and was fyrst ordeyned for the conseruacyon of the kynges peace to be hadde and kept in euery towne amonge the kynges subiectes there dwellyng somewhat shal be spoken. And howe farforthe theyr power doth extende, and what penalties are prouyded agaynste them, for not executynge theyr offyces.

¶ Who were conseruatoures of the peace at the common lawe.

IT is nowe to be sene for the conseruacyon of the peace, what persons by ꝑ cõmon law had auctorite therin, before the makyng of the estatutes wherby Justyces of the peace are ordeyned. And it semeth that by the common law dyuers persons were conseruatoures of the peace, for at the common law ther was one person which

is

the high Constables of hundreds,
and the conseruatours of the peace by
the comon law within theyr offices
and bondages and without theyr limittes
And before the maiestie of the bate
fell wacron Justices of peace are
called the kinges in his comunitie
made conseruatours of the peace in
those countries and places where hym
thought beste to kepe his peace. And
the auctorite in whiche conseruatours
of the peace had by the comon law is
the same auctorite that a Constable
of a towne or wapentake hath at this
daye the whiche I shal recite touch-
ing one make affaute vppe the con-
stable the Constable may defende hym
and may take hym and comaunde hym
to the gaole and if he haue londe
hee to kepe the peace notwithstan-
ding that the affaulte were made vppon hym self
As it appeareth where ouerlo-

the towne to attach the offendour and
him kepe in prison till he be lawe-
fully whether the party will finde su-
fficient or not, yf he hath founde
surety to appeare before the Justices
of Gaile delyuery or at such time as
he shalbe called vppon to appeare be-
fore the Justices at their discretion.
And if one fire for felonye it is the
office of the Constable of the towne
to cease his goodes and to keepe them
and if they happe to be impaired in
his keepinge he shall answere for them
to the kinge. Edward iii. in the Ex-
of Northampton. But by the statute
made Richardy tercij. Cap iii. that
is chaunged. And if felons or murde-
rers be in the towne and the Consta-
ble haue knowledge thereof it is his
office and duetye to assemble people
for to take them.
And if one take a felon in the towne
and bring him to the Constable to be

chapped to the gayle, the Constables
office is to take him thyther, and to
cause other of the towne to ayde and
assyste hym in so doynge.

Also note that Constables were
ordeyned for two intentes, that is to
kepe, to kepe the peace, and also to re-
pelle felons, to take suertye by obliga-
cion of suche persons as they shal
fynde makynge affrayes.

It apertayneth to the office of the
chefe Constable of Eayland to have
cognisaunce of deedes of armes and
tractes touchyng deedes of armes and
of warre out of the realme, and in lyke
maner all thynges touchynge armes
within the realme, whiche cannot be
determined by the comon lawe, as it
appereth clerely by the statute made
the xiii yere of Richard ii. Capitulo ii.
Also it appereth by the statute made
in the iii. yere Capitulo xiii. all appeal to be
made of thynges done out of the realme

[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]
[illegible] [illegible] [illegible]

¶ Constables of townes muste arreste
such as walke by nyghte, of whom suche
persone is had, and delyuer thē to the
Shyrife there to remayne in warde
vntyll they be dyely delyuered. Alſo
theſe muſte arreſt ſuche as be called Rob
bardes men, Wheſters, and Drawe
lacches, & if ſuſpicion be had of anye
ſuche, he is by nyght or daye, and de
liuer them to the Shyrife vntyll the
comyng of the Iuſtyces of Gayle
delyuery. In .xij. Ed. iij. Cap. viij.

¶ It is ordeined that none ſhal take
for three buſhels a quarter of wheate or
corne aboue two pence ob. and for a
quarter of barly, beanes, pees, & otes
x. d. ob. if in muche haue bene wonte
be gyuen, and in the countrey where
they vſe to repe by the ſheefe, & threſhe
by the buſhel, they ſhall take no more
nor otherwiſe. And that ſuche labou
rers and other ſeruauntes ſhal make
amongſt two lymes in the yere, before

Lordes Stewardes, Bayliffes and Constables of euery towne, fouth and hepe thistoz dyligence, and that euery of the shall go out of the townes they dwelled in wynter, for to serue in summer, if he can haue seruyce in the same towne, shuing to the forbeode of the countyes of Stafforde, Warwik, Leycester, Cornen, and the Marches of Wales, theyz fue liberty to labouze in other countreis in the tyme of August. And they that refuse to make such othe, oz to perfourme that thing that thei haue sworne and taken upon the shalbe put in the stockes by the sayde Stewardes Bayliffes, Constables of townes, by the space of thze dayes oz more, and shalbe sente after to the nexte gayle, and there to remayne tyll they will be ordered, and that there be stockes in euery towne for this same intente. And the Stewardes, Bayliffes and Constables shall make

tyme

tyme of his retourne, vnder the kyng
generall that there shalbe assigned
and delyuered to the custody of some
honest man of the hundred. Wapen-
take, Citie, or Borough for accordynge
to the discretion of the Justice of peace
And the Constable shall kepe hym in
the stockes, and kepe hym vntyll he
haue founde sureties to retourne to his
seruice vnto hym from whence he came, vntyll he haue a lef-
fer to depart vppon some reasonable
Anno. vii. Richardi ii. Capitulo. iii.

¶ Constables haue power to arrest
all vacabunds and labourers that beare
about them badgges, dagger, or
dagyd, and to seaze the sayd weapons
as forfayte, and them to kepe vntyll
the Sessions of the Justices of peace
before whom they shall present also
the people with the names of them that
bare them, except that they be seruants
with their maysters or

sage

The Constables shall take the view of the
ege people that are able for to trayne
and bryng to the Justices, when
and the Justices shall ...
...
...

mote

moyte to be to the party from whom
the goodes were taken, to be recoue-
red by accyon of det, wherin the defen
daunt shall not wage his law Anno.
xviij Henrici. vj. Capitulo xiij.

¶ Clothyers shal pay to carders spin
ners, and other labourers lawfull
money for their wages, and carders,
fullers, and other labourers shall do
their duety upon payne of double da
mages. And the Constables of the
hundred or Constable may heare and
determine the complaynte of euery
such clothier and labourer as well for
none payment of the sayde wages of
labourers, as of the sayd forfaytours
and damages by due examinacion of
the partyes in that behalfe, & further
for none payment of the sayd duetie
forfaitures and damages, to commit
the trespassours to the next gayle in
the same countye, vntyll the sayd due
ties forfaitours & damages be duely

paied vnto the sayd labourers or ca-
thers. An. iiii. Edwardy iiii. Capitu-
lo primo.

¶ Euery hyghe Constable or petye
Constable shall take order cause to be ta-
ken al vagabundes, idle people, and
suspect persons lurkynge suspeciously
and set them in the stockes and ther
to remayn by one day and one nyght
and to haue vong other suskynaunce
of breed and water, and then to
voyde the towne, & where they were la-
stly remaynt to such place he boundeth wher
they were borne, or where they haue
dwelled by the space of three yeares.
And if it shalbe proued that they haue
offended after they be set at large
vpon the stockes by the ouerseers, and the
hyghe Constable shall lyke wyse
Anno .xii. septimo. Capitulo .xiii.

¶ Constables & other head officers
and euery of the fynding or knowing
any person lyeng or ouercrying

bate with vnlawfull games as tenys play bowlyng
dysyng cardes & other vnlawfull
games or obserued by many statutes
& lawes we full power to commyt to
warde suche offendours to warde there
to remayne without baile or mayn prys,
tyl suche time as they or they so offending
be bounden by obligacion to the kyng
our soue in suche some as by discrecion
of suche same officers shalbe thought rea-
sonable, that they frome hensforthe
shall not vse any vnlawfull games.

Anno. xi. Hen. viii. Ca. viii.

For wages of bootemen, and for
hyre barges or botes, or for a barge
frome London to Grauesende. iii. s.
and euery person and his male. ii. d
frō London to Erith, Grenwich, Gra-
uesende, or purfleet. xii. d. or elles for
euery person and his ferdell, i. d. so it
passe not. xii. d. Frome London to Wul-
wich xii. d. for a bote or wherye y is
the fyne bote, or elis euery person. ob.

From London to Grenewiche .iiii.d.
ozelles.ob.for euerye perſon and his
facheil. Fro London bridg, oz Weſt
Mary Oueres, oz Poules wharfe to
Weſtminſter .iiii.d oz els euery perſon
.i.ob. From the blacke freers, Bridwell
and the temple to Weſtminſter, oz
Lambeth .i.d, with ouer maies, oz
els euery perſon .ob. ſo that it amounte
to .i.d. Fro Weſtminſter to Lambeth
oz Stangate ote .ob. for a bote from
London to Grenlande .i.d. oz els eue
ry perſon .i.d. with hys male. And
from thoſe places aboue named to lõ
don for a bote, oz barge ydelchannels
is be payed. And theſe articles to be
kepte vppon peyne of forfayte treble
the fare. And Baylyffes, Conſtables,
and other the kynges officers muſte
aduertyſinge to the lieges, vppon com-
plaint to them made, oz to any of them
by them that be greued in that behalf
may arreſt them and commyt them

to

to warde for ther misdemeanour, and to make fyne for the same. In hi Hen. vi. bitt. Capitulo. bii.

¶ By the statute made. An. xxii. H. viii. howe impotente persons shalbe ordered to begge and haue theyr lyuynge. It is ordeyned that if any impotent persons auctorysed to beg, do begge in any other place, then within the limittes to hym assygned, then the Constables and all other the kynges officers shall by theyr discretion punysshe all suche persons by imprisonment in the stockes by the space of iii. daies and two nightes, gyuing them but onely breade and water, and after that to cause euerye suche person to be sworne to returne againe without delaye to the Hundrede, Rape, Citie, Borough, Towne, Parishe, or Franchyse, wherein they be auctorysed to begge in.

¶ And if any impotent person be ga-

garant, and go a begging, and haue
suche letter vnder seale as is specified
by this statute then the constables &
al other inhabitauntes within suche
Towne or parishe shall cause euery
such begger to be taken & brought to
the next Justice of peace or hie consta-
ble of the hundreth. And therupō the
said Justices of peace or high Consta-
ble, shal cōmaund the said constables
and inhabitantes of the towne or pa-
rishe, whiche shall bringe before him
any suche begger, that they shall strip
hym naked from the middle vpwarde
& cause him to be whipped within the
towne where he was taken, or where
the same Justices of peace or highe
constable shall appoynte. And yet not
then to cōmaunde suche begger to be
set in the stockes in the same towne or
parishe where he was taken by the
space of thre dayes and thre nightes
to haue onely breade and water and

there

thereupon the said Justices or highe constables shal limit a place to ỹ same beggar to begin. And to giue hym a letter vnder seale in fourme before ly mitted & to swere hym to repaire thyther immediatly after his punyshement executed.

And all other persons beyng hole and mighty in body that do beggethe constable of the hundreth, rape, or wa pentake, wherein such persons shalbe ỹ take. And the Justices of peace, or high Constable (before whome they shalbe brought) by their discrecions shal cause them to be brought to such places where they thinke conuenient & there to be whipped naked through ỹ towne or market, & thē to be swore to returne to the place where he was borne, or where he last dwelled by the space of three yeares and to haue a let ter vnder the seale, witnessinge that he hath beae punished.

¶ Also al persons that abiure to any sanctuary within this realme, shalbe conueyed thereunto by the constables of euery townethip, that is frō towne to towne til that he come vnto ỹ same sanctuarye whereunto he is abiured in like maner and fourme as persons that had abiured this realme, should haue ben conueyed to the nexte port of the sea frome the place where they be abiured vnto the same port by course of the commō law before the making of this statute. In xxii. Henrici octaui Capitulo. xiii.

¶ Euery fermour or owner of lādes tenementes, or hereditamētes, wherof the yerely value or rent amounteth to. v. pounde, whyche manureth the same, shall pay to euery person whych by his dylygence and labour at hys owne costes taketh any olde crowes, and rookes, or choughes, vpon the same landes, tenementes, or hereditamentes

tymbres of the yerely value aboue said
two pens for euerye twelue olde ewes
rotes or choughes, and .d. for
euerye one .ob. for three olde rowes
rotes or choughes. And yf anye for-
moure or owner refuse to paye the
sayde money accordynge as is afore-
sayd then vpon complaint and proffe
made thereof to any Justice of peace
or highe Constable, the same Justice
or hygh Cõstable shal cause the same
money to be leuied by dystresse of the
goodes and catteles of euery such fer-
mour or occupyer of the same landes
and tenemẽtes. An. xiiii. Henrici viii.

Capitulo x.

¶ Where it is ordeyned by an esta-
tute made in the. viii. yeare of kynge
Richarde the second capitulo. x. that
he whiche espieth and prouethe defau-
tes in any clothes put to sale cõtrary
to the assise thereof ordeyned touchig
clothes, & cõtrary to the sayd estatute

shoulde haue the thirde parte of euery
suche clothe the whiche defective for hys
labour by the deliuerye of the Shyp-
rifles, yf they be present or els of the
lordes of faires & markets, or of the
wardes, Baylyffes or Constables of
townes where such defective clothes
shalbe found, by Indenture betweene
them to be made, the whiche shall be
deliuered euery yere into the chesheber
at the feast of saynt Mighel by them
that shall make such deliuerie, to thin-
tent to charge the Junagoures, and
Coilloirs, by whom suche maner of
defaultes ought to be searched and a-
mended. Anno. vii. R. ii. Cap. ix.

¶ If any person shyppe marchaun-
dyse of the Staple in places suspecte
adioyninge to the costes of the water
and maketh no Indentures thereof
betweene him & the Mayre or Consta-
ble of the towne, they shalbe forfayte
and the kynge shall haue the moitie

and

and the loz̄ of the town. And he that
fetcheth and leadeth suche wardes shall
haue the other mayte. And it is law
full for euery person to serue in the se
stedes. Anno xiiii. Henrici sexti capi
tulo quinto.

It is ordeyned that a horseman
shall paye for passage at Douer thre
halpynges, and a foteman. iii. d. and
the Constable of Douer to punyshe
them that do the contrary at the sute
of the party that will complayne,
and shall do him ryght in that
behalfe. Anno quarto Ed-
wardi tercii. Capitulo
octauo.

Here foloweth the office of
the Cozoner.

For to declare playnely the
office of a Coroner, it ap-
peareth by the Statute of
Magna Carta in the .ix.
Chapiter that no Coroner ought to
holde anye plees of the Crowne. But
Bracton declareth the office of a Coro-
ner in fourme folowynge.

¶ First that in euerye county Coro-
ners shalbe the principall conseruators
of the peace to bere recordes of al plees
of the Crowne, of abiuracions, vtlage-
rier, and such lyke. And the Coroners
shall make an othe before the shyriffe
in the full courte, that they shal make
theyr inquestes, enrollementes, and
all that to the coroners office apper-
tayneth lawfully, & without alainge
allowance. And yf any felony chatte
or treasour be founde, or any woman
rauished, or prison broken, or any mā
wounded nyghe vnto death, the Co-
roners (so sone as he shal know ther-

of)

of shall seme to the Shyryffe, and
the Shyryffes of the place where suche
mysse shal happen) to cause to come
before hym by a certeine day at the place
(where suche chaunce befell) foure of
the next towne shippes and other yf
nede be, by whome he shall enquyre
the verite and shal compell the to bee
shippes to speake vppon the layntes
to them the truth of suche articles yᵗ
he shall demaund of them. Then shal
the Coroner se the Surtaine vnto
the bodye, and the wounde, whether
they be; and immediatly after suche
viewe had the bodye shall be buryed.
And yf the Coroner fynde the bodye
dyed by his commyng, he shall
not remoue the same, neuertheles he shall
not omytte to vewe the bodye, and
make it be dissected openly in the town-
shyp. And then the Surtaine which hathe
ben somoned, and come shall enquyre
vpon the oth of the Coroner, whether the

at

of the comming of the sufficient
first assises in those countyes so that
such defaults by entys & p̄cessis coroners
shall serue. The Coroner shall haue no po
wer to inquire no inq̄st for any defaut
And when the inquest is sworne
the Coroner must inquire if any mur
ther were slain by felony or by misa
uenture & whether the felons were
in his town & house or without. & if
knowledge & who were present at the deed. and
why he refused of the side. & if
any were present assent or aid of such
felonies willingly. And if the Coro
ner haue any suspicion of the vsu
inquest for concealment of the truth
he shall be bolde to inquire be
fore. & after when shall be inquyre
diuerse things. and if such one as there
shall happe to be sworn. the Sher
riffe shall take in all the hast. if the
inquest be sworne. and yet not the Co

roners

sowers shal enquire who they be, and
whether hath withdrawen theim selues
for the occasion. And the Shirife shal
forthwith cause their landes to be
seased, and afterwardes all theyr
goodes, and cause theym to be prayed
by lawefull inquest, and the good-
wyll the prises shalbe enrolled
into the Sowers rolle, and shalbe
deliuered to the townesshippe, for to
be answerable therefore vnto the
kinges cause the partye so indyted
flee, and wyll not stande to right.
And after they shall enquyre if the
partye indited dyd euer fynde sure
tye to kepe the kinges peace, and the
names of his maineprenours, whiche
he shall entre into his rolle.
And if the plaintife wyll sue Ap-
peale within the peace, and the
daye then shall he fynde two suf-
ficiente pledges to the Shyrife of
that Countye, ayfreyable within
the

the

the lawe to sue his appele accordyng
to the lawe of the lande. And then shall
the Coroner cause the Appeale to be
entred with the names of the pledges
and after it shalbe comaunded vnto
the Seriaunte of the countye where
such felony is done (whiche as we re-
membre is the Shyryffe or his Bayliffe
errant) that he haue the bodye at the
nexte countye. And if the Seriaunte
retourne at the seconde countye that
he can not fynde them, then shall it be
awarded that the principall be pro-
claymed of the dede, shalbe solempnly
called to stande vpright vnto the
fourth felowe, and so shalbe called from
countye to countye, vntyll they come
or be outlawed. And if the plaintyffe
make default at any countye then
shall the Appele passe, but yf the com-
playnte of the Iustyces of the kynges
benche, of the Iustices of Eyre in the
countye. And if the principall be out-

lawed

lawed, the erygences shall go forthe immediatlye againste the accessories. and when they shalbe outlawed with drawen or suspected, the Cozoner shal enquire at whose fyndinge suche a fugityfe hath bene, and accordinge vnto the verdite he shall enroll, and then enquyre of the landes and gooddes of the fugitife. And if they appere before the outlawry, they shalbe repleuiable. And yf the felony were done out of the house, the Cozoner shal enquire who founde the bodye fyrste, and he shalbe taken and lette go vnder suretes. And that no Jouroure be remouid by chalenge of any party. Neither shall any Cozoner take any thynge by him selfe, or by other, nor suffer to be taken by his clerke, for doinge his office. And yf it be founde that anye is deade by mysaduenture, then shall it be inquyred what mysaduenture, as yf it be founde that he fell frome a

Wyne it shalbe enquired what thynges were then mouynge there, and howe muche they be worthe and so yf he fel out of a carte. And if one fal out of a shyp, nothinge shalbe iudged the cause of his death but the shippe and the thinges that moue therein, and not the marchaundise lyenge therein.

¶ And the Coroners ought to receiue the confession of felonies made by pronours in presence of the Shyryffe, who shalbe his Comptrouller in all his office, and suche confession he shal cause to be enrolled. And when anye person fleeth to a church, so sone as ȳ Coroner shall haue knowledge therof, he shall sende to the Baylyffe of the place, that he shall cause to come before hym by a certayne daye the neighboures, and foure of the nexte townes shippes adioyning to the churche, and in their presence shall receiue the confessyon of the felonye. And yf

the fugitiue pray to abiure the realme the Cozoner shall do that the whiche to his office belongeth.

¶ Also he shall enquire of tape, and all the circumstaunce, the Appeales wherof withal other appeales of robberye, felonye, and suche lyke, he shall cause to be entred in his rolle.

¶ Also they shall enquire of treasure founden, of wzeckes of the sea, and of Sturgions, and of Whales taken, and who were the takers; whose names they shal enrolle, and let them go by mainepzise. And suche thinges as shall happen to be founde, they shall safely kepe to the kinges vse And the Shyzyffes, and Baylyffes, shalbe alwaies attendaunt vpon them, & their commaundementes.

¶ It is ozdeyned that throughoute all the counties of Englande there be chosen fiftyeyente Cozoners, of the most sage and lawfull knightes that

maye beste to the same office extende whiche lawefullye shall attache, and presente plees of the Coroner as well of appeales, as of thinges to the same office belonginge. And that no Coroner demaunde nor take any thinge for doynge his office, vpon peyne of a greuous forfayture to the kynge. i. Westm. Capitu. xii. But nowe by the statute made. An. i H. viii. Cap. i. The Coroner shall haue. xiii. s. iiii. d. of the goodes of the murderer. And yf the murder be committed in the day time and the murderer escape, the coroner shall haue. xiii. s. iiii. d. for the escape vpon the townelship.

¶ Also it appeareth by an estatute, made in the. xiii. yere of Edwarde the furste, whiche is called the statute of Excester, vnder what order inquysycion shall be made of the defaultes of Coroners (be they alyue or deade) where ye shall se the charge that shall

be

be gyuen to the enquestes that shalbe charged to enquire of Cozoners, in whiche charge it appeare the further, what the Cozoner ought to do by his office, whiche charge here ensueth.

¶ The fourme of the charge to enquire of the defautes of Cozoners accozdinge to the statute of Exceter.

Fyrst they shal enquire yf the Cozoner go in pzoper persō to do his office, oz not, wher by it appeareth that he can not make a deputie.

ii. Also yf he haue sent any other to do his office what he was, and how oftē and aboute what aduentures.

iii. And if he came at euery time of his owne good wyl without delay, oz that he oz his clarke haue taken any thing foz the mozе spedy executyng of theyz office.

iiii. Also if he tary or delaye to the entente to haue any reward after that he hathe knowelege of the trouthe, and after that he is sente vnto, howe often, and in what place, and vnder what maner.

v. Also yf the goodes of felons, taken by hym, be delyuered to the townes to kepe by a lawefull enquest, as they oughte to be, and enrolled in his recorde or not.

vi. Also if the Cozoner take any thing of any persone, for to take a false inqueste, for to destroye the righte of a nye, or to praise the goodes for lesse then they be worth.

vii. Also yf he enter any thinge in his rolles, otherwyse then it was gyuen by the inquest, and what thinge he, or his clerke toke therfore, and howe often, & for what thinge he or his clerke toke suche thinge.

viii. Also yf he or his clerke toke of the goodes

goodes that were prayſed, and pry-
ſed them at leſſe then they entred the
in theyr rolles.
ix. Alſo if the pryſes were not aſſeſſed
by the enqueſte.
x. Alſo yf the townethyp were falſelye
charged and of what thynge.
xi. Alſo if any appeales were falſelye
enrolled, or imbeſyled out of the rol-
les, after that they were entred.
xii. Alſo if he refuſe to take any plaint
of appeale, for pouertie, hate, or other
lyke cauſe, & what he take for the oc-
caſyon, and of whom, and how much.
xiii. Alſo yf he or hys clarke haue ta-
ken ought for the goodes of the party
that is deade vppon whoſe bodye he
take viewe, what thynge it was, and
howe often he ſo dyd.
xiiii. Alſo if he haue entred al the atta-
che mentes belongynge to hys office
in due maner, or if he haue made any
attachemente for to greue any perſon

or to haue of his owne, and entre it in to his rolles

xv. Also yf he haue not done his office at all tymes at his owne costes without takinge ought therfore.

xvi. Also yf he haue consealed oughte at any county, to procured to be murdered, to the greuaunce of any person and yf he so did, then to enquire howe often, and for what reward, and for whom, and in what case he so did.

xvii. Also if all the attachementes hanginge, and lawfully receiued be pursued by him as he oughte to do for the kinge or for the partye, or cause to be pursued.

xviii. Also if the goodsof such as haue fled the townes where they dwell for suspection of felony, were attached by him, and praised by enqueste, and enroled accordinge therunto, & deliuered vnto the townes (where those goodes were founden) to kepe safelye vntyll

the

the cõmyng of the Justicers to Eyre xix. Also yf he ſuffer appealles or other plaintes to him made, to be conueyed away, imbeſeled, or rayſed out of the rolles, and if he take ought for ſuche falſhed, of whom, howe muche and howe many tymes.

xx. Item yf there were any treaſoure founde in the tyme of the ſame Cozoner, in what place, and what maner of treaſoure, and howe muche, and in whoſe handes it reſiſteth, & by whoſe delyueraunce.

¶ Thys is the hole charge that Juſtycers in Eyre muſt gyue, for to enquyre of Cozoners, and of theyr defaultes. Forthermore Juſtyces in Eyre may impanell other inqueſtes foure and twenty perſons of the body of the county to inquire of the cõcealment of the firſt inqueſtes which dyd enquyre of the defaults of Cozoners.

¶ When Cozoners haue any know-

ledge from the kynges Baylyffes, or other honeste men of the countrey for to go vnto such as be slaine, or sodainly deade or wounded, or breakers of houses, or to anye place where treasoure is sayde be founde: they muste go forthwith, and commaunde foure, fyue, or sixe, of the next towneshippes that they be afore them at such a day and place, and when they shall come, thē the Coroner must make enquyre therof in fourme folowynge.

☞ Fyrste if the person were slaine in house, or in the fylde, in bed or at the tauerne. &c. and who be gilty ther eyther of the dede or cōsent. &c. And any be in the courte, whyche were these so that they cā speke, or haue any discrecion, and they that be found gylty by inqueste shalbe taken, and delyuered to the Shyryffe. And suche as were present, and be not gylty shalbe attached vntyl the comming of the Justyces

tes,and theyr names shalbe wrytten in the Cozoners rolle.

¶ If any be sodaynlye slayne in fyldes,or in the woodes, it is fyrst to be sene whether he were slayne there or not, and yf he were not slayne there then as nere as they can they shal folowe the steppes of him that brought the body thyther with horse, or carte yf it be possyble, in case the murderer be knowen,and yf he be a straunger, then shall they enquyre wher he was lodged the nyghte before. And touchynge such as shalbe founden gylty the Cozoner shall go immedyately to their houses,and enquire what goodes and landes they haue, and howe muche they be worth by the yere.

¶ But by the statute of kynge Ri.the iii.it is ordeyned that the landes and goodes of suche persones shall not be sealed untyll they be attaynted, or otherwyse cõuict by course of the lawe

And

And these thynges thus beynge enquyred, the bodyes shalbe buryed incontynent.

Moreouer they muste enquyre of such as be dzowned oz dead sodaynly and whether they were dzowned oz strangled, oz slayne, and they muste enquire who were the finders that they may be attached. Also they muste vieue the lengthe, bzedth, and depnes of all woundes, and muste enquyre wyth what weapons, and in what place of the bodye. And if the wound be moztall, the offendour shall be kept vntyll it be knowen whether the party may be hole. And yf the wounde be greate then he shalbe let go vnder foure, oz syxe pledges, and if it be but lytell, the two pledges shall suffyce. Also they muste enquyre of hozse, cartes, and other thinges wherby any were slaine that they maye be pzayed and delyuered vt supza.

Also

¶ Also they shall enquyre of wrecke of the see, and if any laye hande vpon it, he shalbe attached by good pledges and the wrecke shalbe prayed and delyuered to the nerte towne ships. Furthermore hue and crye shalbe leuyed vppon all manslaughters, burglaryes, or when any is slayne or in parell of death if it may be. And al shall folowe suche hue and crye, yf they be able and they that do not, shal be attached to appere before the Iusticers. &c.

¶ Also yf anye persone flye vnto the Churche, or other halowed place for murdre, felonye, or suche lyke offence, the Coroner vpon knowledge therof shall come thether and take hys confessyon, and if he wyll abiure the realme, the Coroner shall receyue hys abiuracyon, whyche he shall saye in this fourme.

The

¶ The fourme of the abiuration.

HERE you thys Syr Coroner that I. A. B. am a theefe of one horse (or other lyke thynge) or a man slear of one mā (or mo) & a felon of our soueraygne lorde kinge Henry the eyght. And forasmuch as I haue committed manye euyll deades and felonies, in this his realme I here abiure his land for euer, and shal make as much haste as I can to the hauen of. D. whiche you haue assigned me, & I shall not depart out of ꝑ high way, and if I do, I wyll that I be take as a theefe and felon of the kyng. And further I shall diligētly seke my passage at the place aboue limitted, & I shall not abyde there any lenger then one ebbe and one flod, yf I may haue passage. And if I cā haue no passage i so much space, I shal go euery day into the

the see by to my knees and assay if I can get ouer. And yf I can not so do within fourty dayes continuing, I shal yelde my selfe again to the churche, as the kynges thiefe and felone. So helpe me God and holydome

¶ Neuertheles it semeth that when any person shall abiure, him behoueth to shewe the place, the daye, and yere, and in what countye he dyd the felonye or Murder, whyche confessyon shalbe as an Indytemente in effecte not withstandynge yf he do it not but onely as before is expressed, it is good ynoughe, bycause he is attaynted before by this abiuracyon. Howbeit hys maner of abiuracyon is put out by the estatute of Hēry the viii. made in the .xii. yere of hys reygne, whereby it is ordeyned that suche as wyll abiure, shall make theyr abiuracyon frō al their liberty vnto some saintuary within this realme, ther to remayne

durynge

durynge theyr lyues, and shalbe burned in the ryght hande with thys letter. A. And if such a person afterward be taken out of sayntuarye, he shalbe ordred in like maner as one that had abiured the realme before the sayde estatute. And the same person that so taketh the churche shal make his abiuracyon, and shall take his passage from thence at suche a daye and tyme as the Coroner shall appoynte, and shalbe marked vpon the brawen of hys thombe on the right hand with a durynge yron, and shalbe conueyed to the sayntuarye (whereunto he is abiured) by ye Mayres, Baylyffes & Constables, in suche facyon as they haue bene whiche heretofore had abiured the realme. And if any felon refuse to abiure before the Coroner, he shalbe taken out of the sayntuarye, and shall lese the priuiledge therof, And ye is by the statute of. An. xxi. H. viii. Capi. ii.

Also

¶ And it is ordeyned that none shall be chose Coroner, yf he hath not land sufficient within the same countie for to aunswere all persons. An. iiii. E. iii. Capitulo. viii.

¶ And it is further ordeyned that all Coroners shalbe chosen in the full cou̇tis, by the commons of the sayd counties of the moste conuenient and able persons. An yr viii. E. iii. ca. vi.

¶ The Coroner shall enquire, vpon the viewe of the body, yf he were slain by daye, yf the murderer be taken. And yf the murderer escape, the townesshippe to be amerced. And the Coroner shal enquire of that escape, whe he inquireth of the deathe vppon the viewe of the bodye. And the Coroner shall haue for his fee. xiii. s. iiii. d. of the goodes of the murderer. And if he haue no goodes, then to haue his fee of suche amercyamente as shalbe set vpon the townshyp for the escape.

And after the murder found, the Co
roner shal certifye his inquisycyon a
fore the Justicers of the next general
Gayle delyuery in the countye. And
yf the Cozoner be remisse, and make
his inquisicion vpon the viewe of the
bodye, and certyfye not accozding as
is afozesayd: then the Cozoner foz e-
nery default to fozfayte one. C. s. An
iii. Henrici. vii, Capitulo pzimo.

¶ It is ozdeyned that vpon enquest
to the Cozoners to come and inquyze
of any persone dzowned oz slanye by
mysaduenture: the Cozoner shall dy-
lygentlye do his offyce wythout anye
thynge takinge therfoze, vpon peyne
of euery Cozoner that wyll not ende
uer hym to do hys offyce, oz ỹ taketh
any thinge foz doing his office vpon
any persod dead by mysaduenture. s.
s. Anno i. Henrici. viii. Capitulo. vii.

¶ In case of mans death within the
vierge, it shall be commaunded to the

Cozoner

Cozoner of the Countrey, that he to-gyther with the Cozoner of the Kynges house do make the enquyze, and enrolle it. And that which can not be determined before the Steward by cause the Felons be not attached, or for other lyke cause, shall remayne at the comon lawe so that the exigentes vtlagaryes and presentmentes therof be made in Eyze by the Cozoner of the countrey, as of the other felonies done out of the vierge. Articles vpon the Chaters Capitulo secundo.

¶ No Cozoner, Shyrzyffe, nor other offyce shall take ought for hys offyce and yf he do, he shall restore twyse so muche, Westminster. i. Ca. xxviii. But the statute of. Hen. vii. gyuethe to the Cozoner a marke of euery murder.

¶ Also it was sayde by the Justicers M. xcvto Richardi secundi, that the Cozoner hathe no power to enquire of mannes death, but onelye vppon

viewe of the bodye, and yf he do it is frustrate and voyde. And yf one Coroner enquire vppon the viewe of the body, and after another Coroner wyll come and inquire therof agayne, this seconde enquirie is voyde for the fyrst enquire is onely of recorde.

If one become a prououre before the Coroner he shall not afterward be admitted to saye that he dyd commit the acte by pursuyte of imprysonmente, for the recorde of the Coroner shall estop to him plede that.

¶ If any will sue appeale of roberye or larcenie, he must come into the full county within the yeare and the daye, after the felony done, and must fynde two pledges to folow his suit, and the Coroner shall enter his appeale immediatly in his rol, and the names of the pledges, and then shall it be comaunded to the bailiffes of the place, where &c. that haue the bodye at the nexte

countye

countye. And yf he retourne at the se-
conde countie (Non est inuentus) then
shal the appeale be called from coun-
ty to countye vntyl he be outlawed. And
yf the playntyfe make defaut at any
countye, then shall the origent cease
vntil the Eyre of the Justices in the
same countye and the playntyfe shall
cease hys accyon after a parauenture for
euer, wherby it appereth that after ỹ
yeare & day a man shall not haue ap-
peale of felonye. And to this poynt a-
greeth Bzeton in his fyrst boke.

¶ The Cozonet must recozde his bi-
ewe, abiuration, appeales, accusa-
cions of theues made before him, and
so muste he do of al thynges that be-
longe vnto his office to be done, & the
non suites of plaintifes in appeales
he muste recozde, wyth all thynges
done in the countye whyche belonge
vnto his office. Also ye shal note that
appeales shalbe made in the courtes

of any lord that hath fraūchise of In fangthef in presence of ỳ Cozoner. &c.

¶ A presentmente was sent vnto the kynges bench by a Cozoners compri sing how a certayne person taken for felonye, was conueyed vnto the chur che by certayne Freers &c. And by cause the Cozoner hadde no power to take suche an indytement, a writ was dyrected to the same Cozoner to cer tyfy whether he had any other present ment oz not. Anno. xxbii. Edwardi. iii. Libro assisarum.

¶ An aduenture of the death of a mā was presēted before Justices in Eyre and bycause the same was not found den in the Cozoners rolle, the Cozo ner was awarded to prison. The Co roners fee in Eire, is to haue a penny of euery venue, when they shal come.

☞ Note that a presentment made be foze Justycers in Eyre of a thynge, whiche is cōtrary to ỳ that is entred

in

in the Cozoners rolle, shalbe taken as voide, and the cozoners rolle shalbe taken foz the recozde.

¶ The Cozoner shall enquyze of the death of mẽ slaine, oz drowned in the armes oz creekes of the sea, where the land may be seene of eyther side. But nowe by the statute made Anno. xiii. Richardi secundi. Capitu. v. and confyzmed. Anno. ii. Henrici. iiii. Capitulo. xi. the admiral hath no iurisdiction but onely vpon the hyghe sea, whereby it appeareth that the Cozoner hath iurisdyction there to enquyze of mannes death.

¶ A Cozoner maye take an appeale of felonye made by an appzoyour in any county of Englande, and so maye he do of an abiuracion, in case that he confesse the felonye to be done in an other countye. And the Cozoner may adiue him aswel vpon that, as yf the felony had bene done within the same

countye. But he can not take any ap-
pealle of robberye, or felonye, onelle
it be within the same countye where
the robberye, or felony was commit-
ted and where he is Cozoner, for by
confessiō or appechment he is attain-
ted, and so is he not in the other cause
¶ One that becōmeth a pzoueur be-
foze Justyces shall not haue a Cozo
ner except he wyll confesse the felony
before them, and pzay a Cozoner. T,
rybi. Edwardi. iii.
¶ And if one become a pzoueur and
appeal other of diuers felonyes done
in other countyes, in thys case the
Cozoner can not make pzofe therupō
into any fozeyne countye, but he shal
enter it into his role, and shal send the
same pzesentimente before the Justy-
ces of gayle deliuery, and the Justi-
ces of gayle deliuerye, shall awarde
pzocesse to the Shyrzyffe of the foz-
eyne countye, foz to take him that is
so

so appealed.

¶ Thus ye muste vnderstande, that yf any Shyryffes, Bayliffes, Vicheatours, Constables, or Coroners take ought for doyng theyr offyces otherwyse then to them is lymytted by the statutes before declared, that the suche taking is extorcion, which is punishable at the kings pleasure, as appeareth by the statutes before written, and by the statute made An. i. H. viii. Cap. xi. wherby it appeareth that Shyryffes and theyr mynysters, Bailiffes & their mynysters, Vicheatours and theyr mynysters, Coroners and theyr mynysters, are bound to serue al precepts to them directed frome the Justicers of peace wythout takynge ought of any partye. And if a precepte be directed to the Shyryffe, or anye other the kinges officer to compell anye to appeare before the Justycers to fynd suerty of ꝑ peace, if the party (against

whome any suche precepte is dyrec-
ted) be redy to come before the sayd
Justyces to fynde suertye of the peace
they shall take nothinge of hym. And
in lyke maner must they serue all pro-
cesses that come to them dyrected out
of the kinges benche the comon place
the Eschequer, or the Chauncery
without takinge ought therfore
but only the fees expressed in
the Statutes before wryt-
ten. And if they take
and other fees, it is
playne extor-
tion.

¶ Wherfore declaracyon con-
cernynge the extorcions
of Ordinaries, per-
sons, Vicars, and
Curates.

Concer-

CONCERNYNGE Ordynaryes, ye shall vnderstande that it is ordeyned by an estatute made in the one and twentye yere of kyng Henry the eyght that no Ordynarye shall take any thyng for the probate of the testament of such a person, whose goodes amount not aboue the summe of a hundreth shyllynges, except to the Scribe .vi.d. only. And of goodes aboue the value of a hundreth shyllynges, vnto forty pounde .iii.s. vi.d. And the Scrybe to haue twelue pens of the same summe. And for ỳ probate of a testament of goods aboue the value of forty pounde fyue shillynges, whereof the scrybe to haue two shyllynges and fyue pence, or for euery line beyng ten inches in length one penye, and suche lyke summes for letters of administracion, where such persõs dye in testate, and the testamẽt

to

to be regestred, and delyuered to the partye without delaye, and letters of administracion to be graunted to the wyfe, or next of the bloude of the partye deceased, or to bothe. And for the probate of a testament, or letter of administracyon of goods under the summe of a hundreth shyllinges, the Ordinary shall take nothinge. Moreouer it is the office of the ordinary to deface the seale of the testatour (wherwith his sayd testament was sealed) and to deliuer it ageyne to the partye. And if the Ordynary take any more then afore is limitted, he shall forfayte to muche as he taketh, and ten poundes more beyondes that, wherof the moyte shalbe to the partye greued.

¶ If the Ordynarye cyte anye person to appere in a spirituall courte to depose in any matter there as a wytnes, that is extorcion and wronge to the partye.

¶ If any Ordynary, Person, or Vicar, take any mortuary after the death of any person, which had not in good to the value of ten markes, that is extorcion, and lykewyse it is where they take a mortuary in such places where it hathe not bene accustomed to paye mortuaries. And euen so it is where a Person or Vycar taketh more then iii.s. and iiii.d. in the name of a mortuarye yf the goodes amounte aboue ten Markes, and vnder the value of xxx.li. for that is extorcion. Also yf he take more then vi.s. viii.d. for a mortuary where the goodes be aboue the value of xxx.li. and vnder the summe of forty pounde the dettes payed, that is extorcyon.

¶ And yf they take of theym whole goodes amount to xl.li. aboue the dettes payed, more then.x. shyllinges for a mortuary, that is extorcyon.

¶ And if he take any mortuarye for

a woman

a woman maried, or one that is with
in age, or for a man that kepethe no
houſe, it is extorcyon.

¶ And yf any mortuary be taken in
Wales, it is extorcio, except Biſhop-
pes that ſhal take mortuaries therof
preſtes, & curates. And the Archdeco
of Cheſter ſhall take mortuaryes of
preſtes within the county of Cheſter.

¶ And whoſoeuer taketh for a mor-
tuary more the he ought, ſhal forfayt
aſmuche in value as he taketh, and
forty ſhyllynges beſydes that to
the partye greued. An. xxi.
Henri. octaui. Cap. vi.

And this haue I
thought ſuffi-
cient to de
clare
vnto you concerning the Extorcions
of ordynaryes, Perſons,
Vicars, and Curates.

FINIS.

Imprynted
at London in Fletestrete
nere to Sayncte Dun-
stones Churche
by Thomas
Marche.

1555